

DEC 29 2015



SAN FRANCISCO PLANNING DEPARTMENT

SAN FRANCISCO
PUBLIC LIBRARY

Mitigated Negative Declaration

PMND Date:	September 30, 2015	1650 Mission St. Suite 400 San Francisco, CA 94103-2479
Case No.:	2013.0341E	Reception: 415.558.6378
Project Title:	2293-2299 Powell Street and 309-311 Bay Street	Fax: 415.558.6409
Zoning/Plan Area:	C-2 (Community Business) District Waterfront Special Use District No. 2 Telegraph Hill-North Beach Residential Special Use District 40-X Height and Bulk District	Planning Information: 415.558.6377
Block/Lot:	0041/001 and 034	
Lot Size:	6,820 square feet	
Project Sponsor:	Trusts for Children of Henry Wong c/o Daniel Frattin – Reuben, Junius & Rose (415) 567-9000, dfrattin@reubenslaw.com	
Staff Contact:	Michael Li (415) 575-9107, michael.j.li@sfgov.org	

PROJECT DESCRIPTION:

The project site, which is on the southwest corner of Powell and Bay streets in San Francisco's North Beach neighborhood, consists of two adjacent parcels: Assessor's Block 0041, Lots 001 and 034. Lot 001 is occupied by a one- and two-story commercial building that was constructed in 1920 and has been vacant since 2012; the previous tenants were an office use on the second floor and a restaurant on the ground floor. Lot 034 is occupied by a two-story building that was constructed in 1906 and has been vacant since 2012; this building previously contained uses that were accessory to the restaurant that formerly occupied Lot 001. The project site does not have any existing curb cuts.

The proposed project consists of merging the two existing lots into a single 6,820-square-foot (sf) lot, demolishing the existing buildings, and constructing a four-story, 39-foot-tall, approximately 28,490-gross-square-foot (gsf) building containing 17 dwelling units, approximately 5,070 gsf of commercial space, and 17 parking spaces. There would be eight-foot-tall elevator and mechanical penthouses on the roof of the building, resulting in a maximum building height of 47 feet. The dwelling units would be on the second through fourth floors, and the commercial space would be on the ground floor. A restaurant is proposed for the ground-floor commercial space. The parking garage would be in the basement, and a ramp would lead up to street level. A garage door, a new driveway, and a new curb cut would be provided on Powell Street. A total of 26 bicycle parking spaces would be provided; 18 Class 1 spaces would be provided in the basement and on the ground floor of the building, and eight Class 2 spaces would be provided on the Bay Street sidewalk adjacent to the project site. Usable open space for the residents of the proposed project would be provided in the form of private and common roof decks at the second floor.

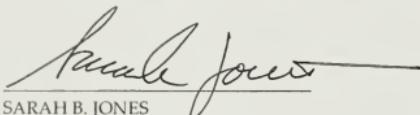
The project sponsor estimates that construction of the proposed project would begin in 2016 and would take 16 to 18 months, with the building being ready for occupancy in 2018. The proposed building would

be supported by a mat slab foundation. Construction of the proposed project would require excavation to a depth of 12 feet below ground surface and the removal of approximately 2,975 cubic yards of soil.

FINDING:

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See pages 86-89.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.



SARAH B. JONES
Environmental Review Officer

October 27, 2015

Date of Issuance of Final Mitigated
Negative Declaration

cc: Trusts for Children of Henry Wong, Project Sponsor
Daniel Frattin – Reuben, Junius & Rose
Nicholas Foster, Current Planning Division
Stephanie Cisneros, Historic Preservation Planner
Randall Dean, Archeologist
Supervisor Julie Christensen, District 3
Master Decision File
Northeast Quadrant Bulletin Board
Historic Preservation Distribution List
Distribution List

INITIAL STUDY TABLE OF CONTENTS

2293-2299 Powell Street/309-311 Bay Street

<u>Section</u>		<u>Page</u>
A.	PROJECT DESCRIPTION	1
B.	PROJECT SETTING	14
C.	COMPATIBILITY WITH EXISTING ZONING AND PLANS.....	15
D.	SUMMARY OF ENVIRONMENTAL EFFECTS	17
E.	EVALUATION OF ENVIRONMENTAL EFFECTS.....	19
E.1.	Land Use and Land Use Planning.....	19
E.2.	Population and Housing.....	21
E.3.	Cultural Resources.....	23
E.4.	Transportation and Circulation	27
E.5.	Noise.....	34
E.6.	Air Quality	39
E.7.	Greenhouse Gas Emissions	56
E.8.	Wind and Shadow	58
E.9.	Recreation	60
E.10.	Utilities and Service Systems	62
E.11.	Public Services.....	66
E.12.	Biological Resources	68
E.13.	Geology and Soils	70
E.14.	Hydrology and Water Quality.....	74
E.15.	Hazards and Hazardous Materials	78
E.16.	Mineral and Energy Resources	82
E.17.	Agriculture and Forest Resources	83
E.18.	Mandatory Findings of Significance	84
F.	MITIGATION MEASURES AND IMPROVEMENT MEASURES	86
G.	PUBLIC NOTICE AND COMMENT.....	89
H.	DETERMINATION	90
I.	INITIAL STUDY PREPARERS	90

	<u>List of Figures</u>	<u>Page</u>
Figure 1:	Project Location	2
Figure 2:	Proposed Site Plan	3
Figure 3:	Proposed Basement Plan.....	4
Figure 4:	Proposed Ground Floor Plan.....	5
Figure 5:	Proposed Third Floor Plan.....	6
Figure 6:	Proposed Roof Plan.....	7
Figure 7:	Proposed North Elevation (Bay Street)	8
Figure 8:	Proposed East Elevation (Powell Street)	9
Figure 9:	Proposed South Elevation	10
Figure 10:	View Along Bay Street.....	11

Figure 11: View of Bay and Powell Streets.....	12
Figure 12: View Along Powell Street	13

List of Tables

	Page
Table 1: Criteria Air Pollutant Significance Thresholds	41

Initial Study

2293-2299 Powell Street/309-311 Bay Street
Planning Department Case No. 2013.0341E

A. PROJECT DESCRIPTION

Project Location

The project site, which is on the southwest corner of Powell and Bay streets in San Francisco's North Beach neighborhood, consists of two adjacent parcels: Assessor's Block 0041, Lots 001 and 034 (see Figure 1). Lot 001 is occupied by a one- and two-story commercial building that was constructed in 1920 and has been vacant since 2012; the previous tenants were an office use on the second floor and a restaurant on the ground floor. Lot 034 is occupied by a two-story building that was constructed in 1906 and has been vacant since 2012; this building previously contained uses that were accessory to the restaurant that formerly occupied Lot 001. The project site does not have any existing curb cuts.

The project site is in a C-2 (Community Business) Zoning District, a 40-X Height and Bulk District, the Waterfront Special Use District (SUD) No. 2, and the Telegraph Hill-North Beach Residential SUD.

Project Characteristics

The proposed project consists of merging the two existing lots into a single 6,820-square-foot (sf) lot, demolishing the existing buildings, and constructing a four-story, 39-foot-tall, approximately 28,490-gross-square-foot (gsf) building containing 17 dwelling units, approximately 5,070 gsf of commercial space, and 17 parking spaces (see Figures 2 through 11). There would be eight-foot-tall elevator and mechanical penthouses on the roof of the building, resulting in a maximum building height of 47 feet. The dwelling units would be on the second through fourth floors, and the commercial space would be on the ground floor. A restaurant is proposed for the ground-floor commercial space. The parking garage would be in the basement, and a ramp would lead up to street level. A garage door, a new driveway, and a new curb cut would be provided on Powell Street. A total of 26 bicycle parking spaces would be provided; 18 Class 1 spaces would be provided in the basement and on the ground floor of the building, and eight Class 2 spaces would be provided on the Bay Street sidewalk adjacent to the project site. Usable open space for the residents of the proposed project would be provided in the form of private and common roof decks at the second floor.

Project Construction

The project sponsor estimates that construction of the proposed project would begin in 2016 and would take 16 to 18 months, with the building being ready for occupancy in 2018. Construction of the proposed project would include the following phases: demolition; excavation and shoring; construction of the building shell; and exterior and interior finishing. Heavy-duty, diesel-generating equipment and vehicles would be used during the first three months of the construction period. Construction of the proposed project would require excavation to a depth of 12 feet below ground surface and the removal of approximately 2,975 cubic yards of soil.



Project Site



Project Site

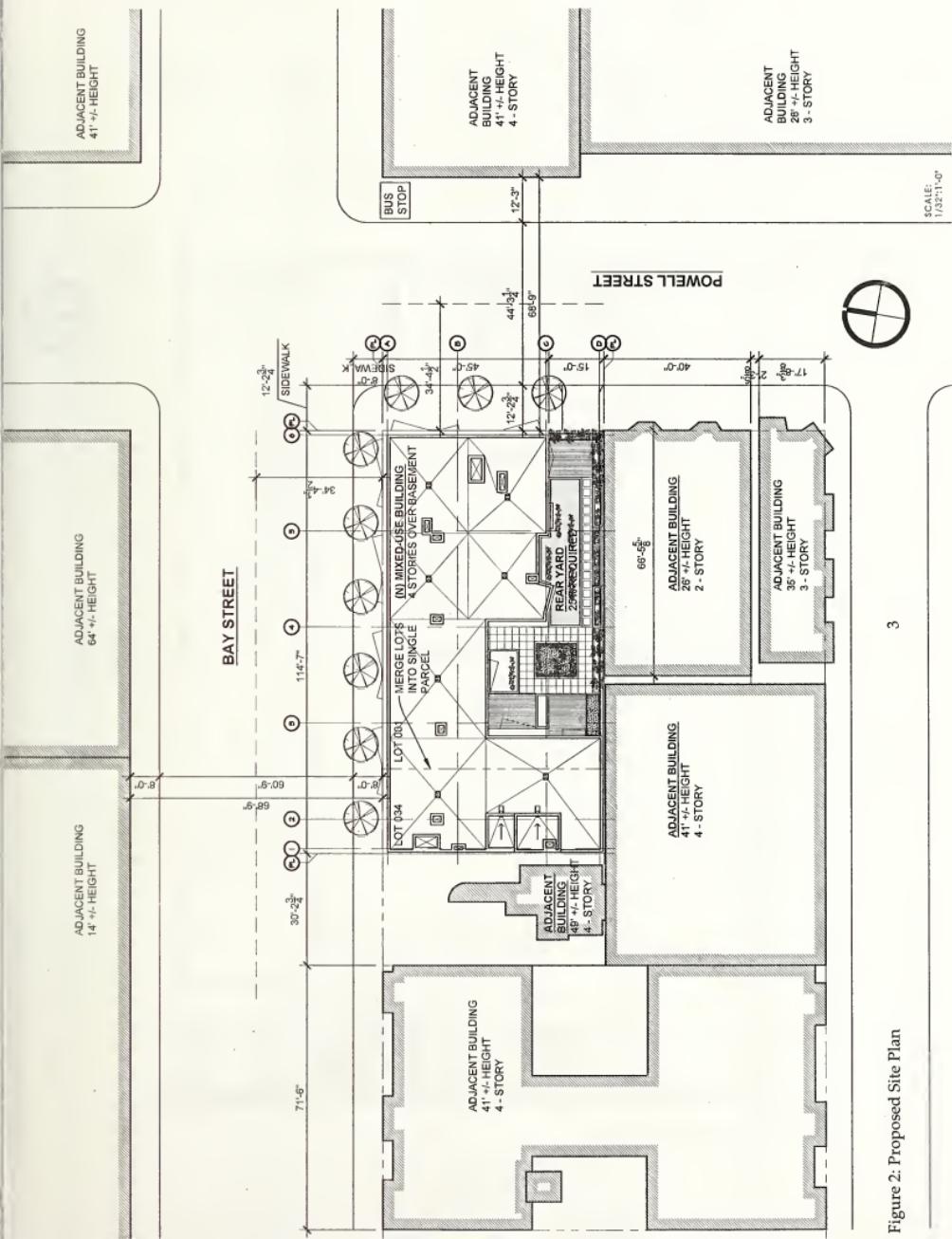


Figure 2: Proposed Site Plan

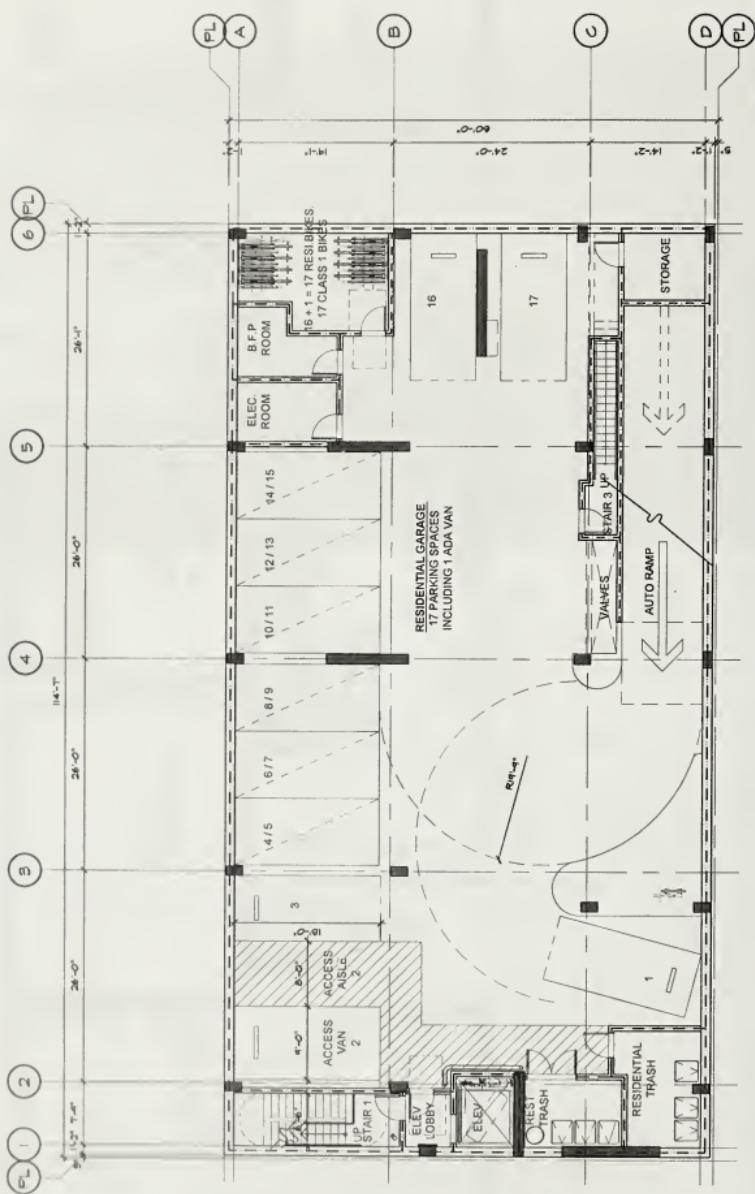


Figure 3: Proposed Basement Plan

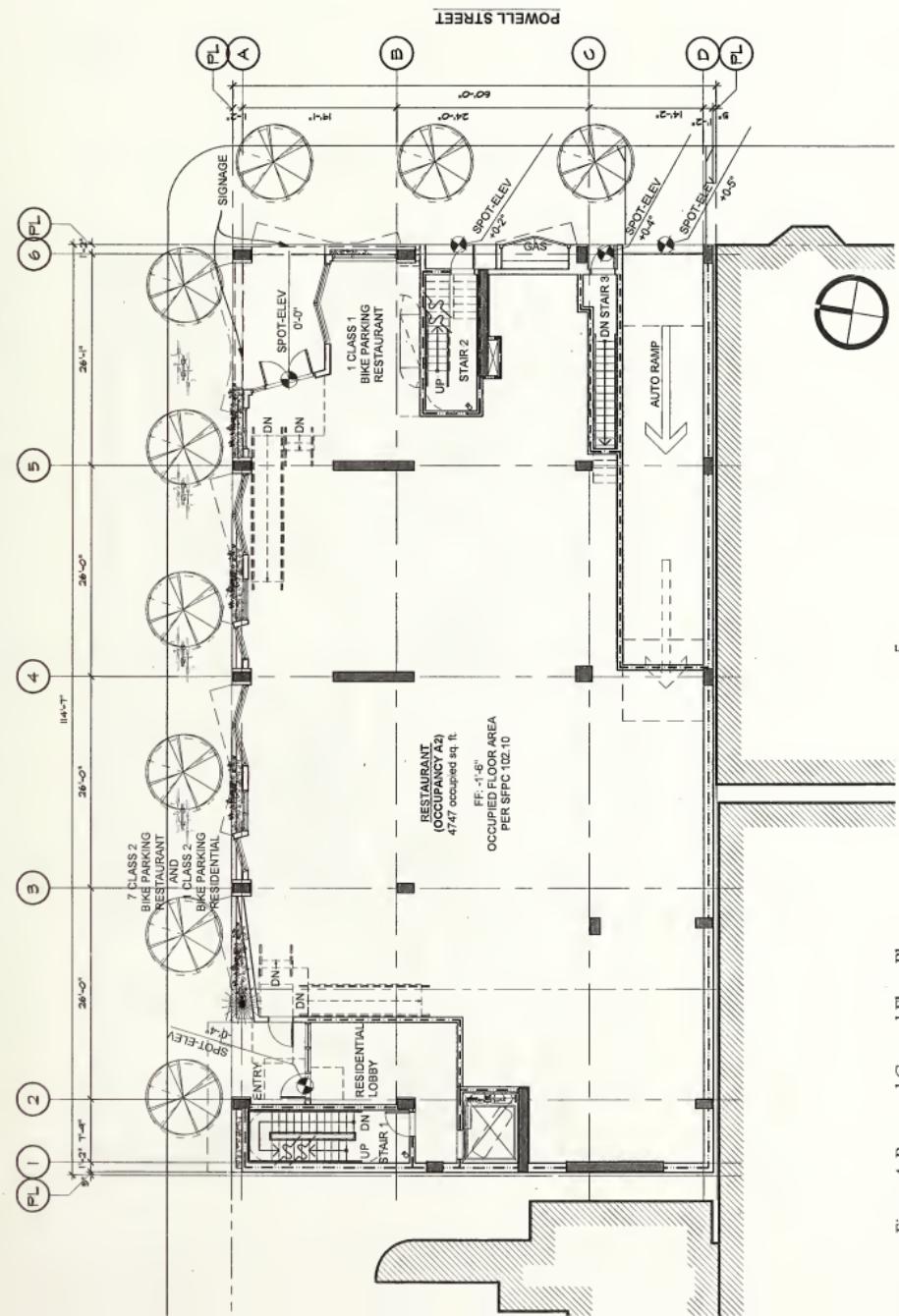


Figure 4: Proposed Ground Floor Plan

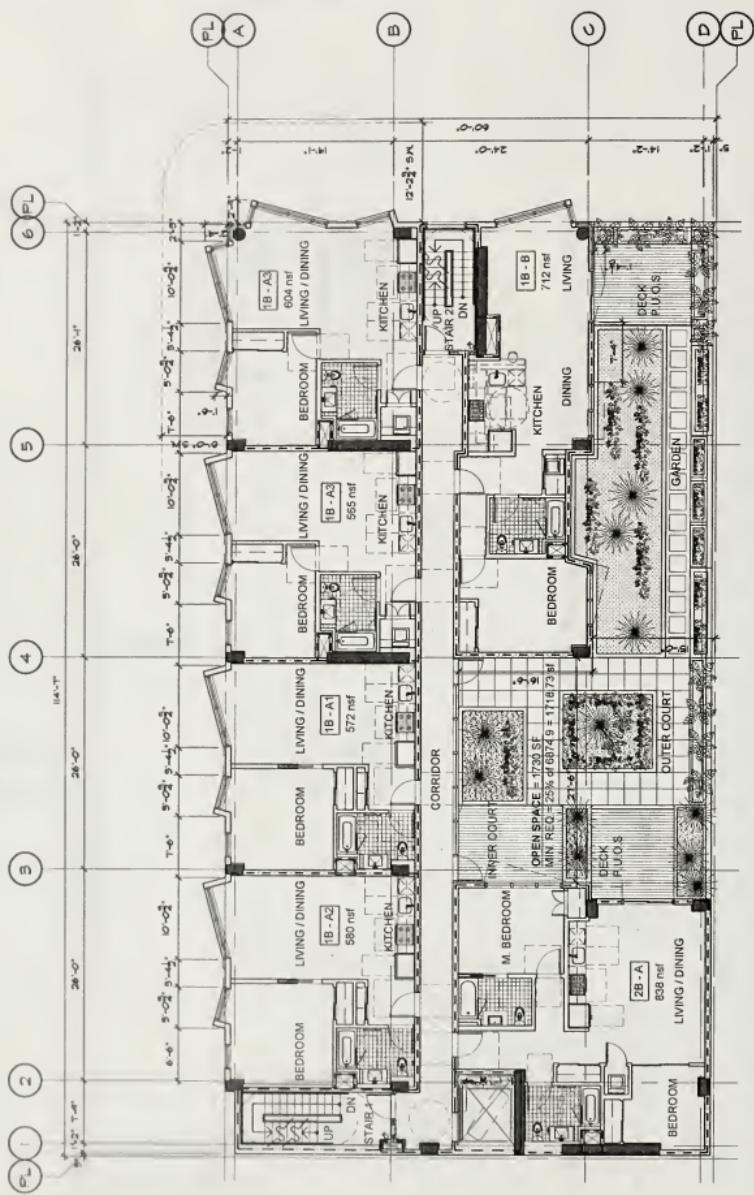


Figure 5: Proposed Third Floor Plan

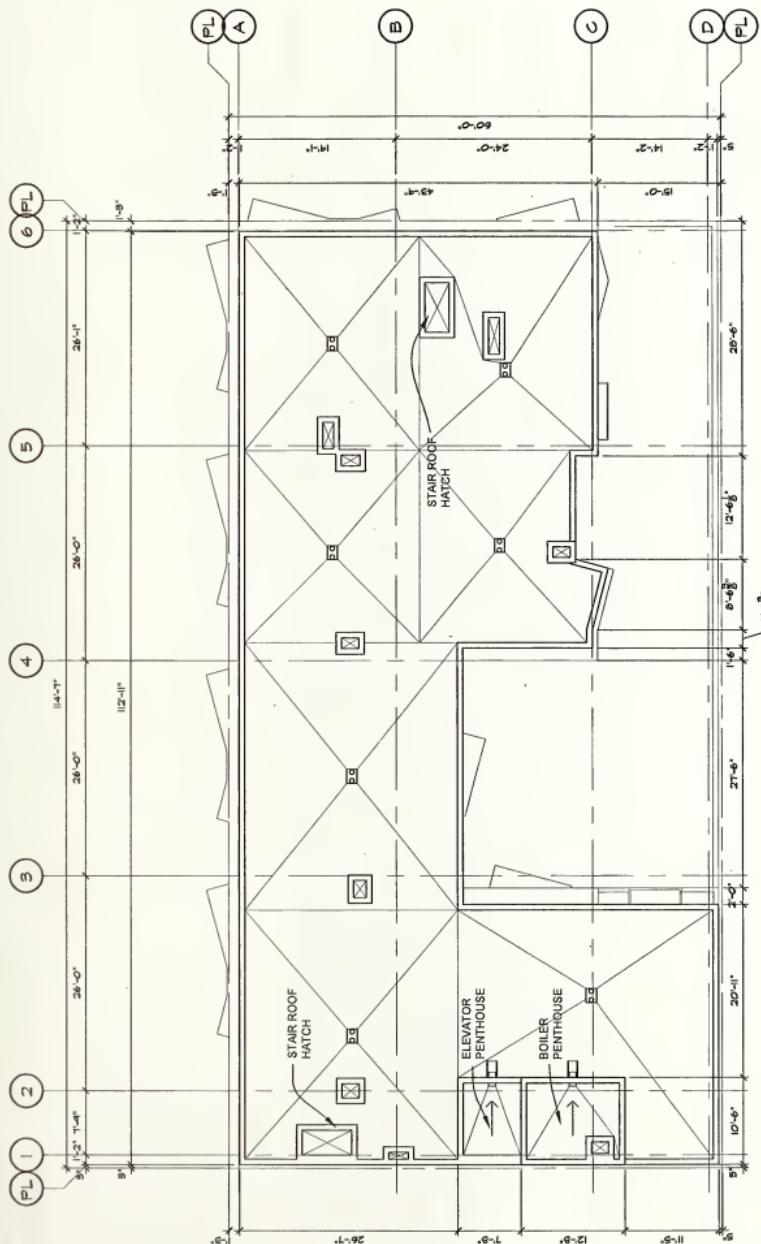


Figure 6: Proposed Roof Plan

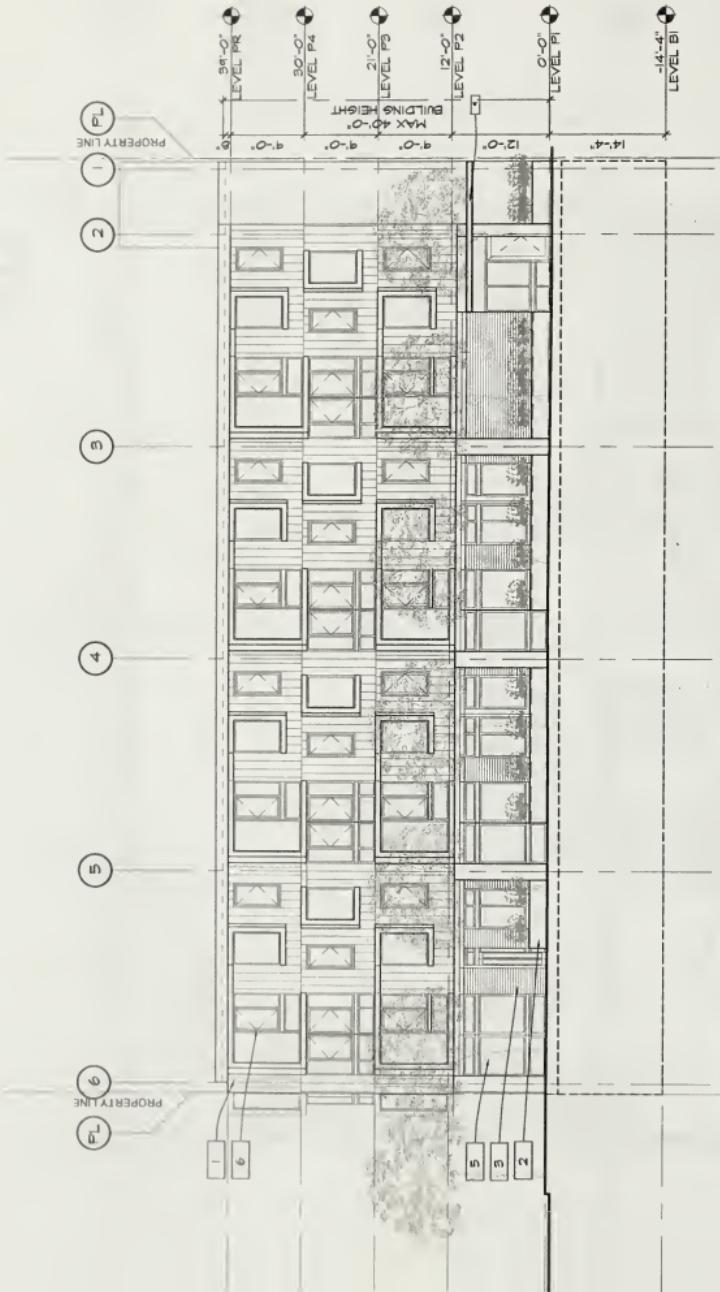


Figure 7: Proposed North Elevation (Bay Street)

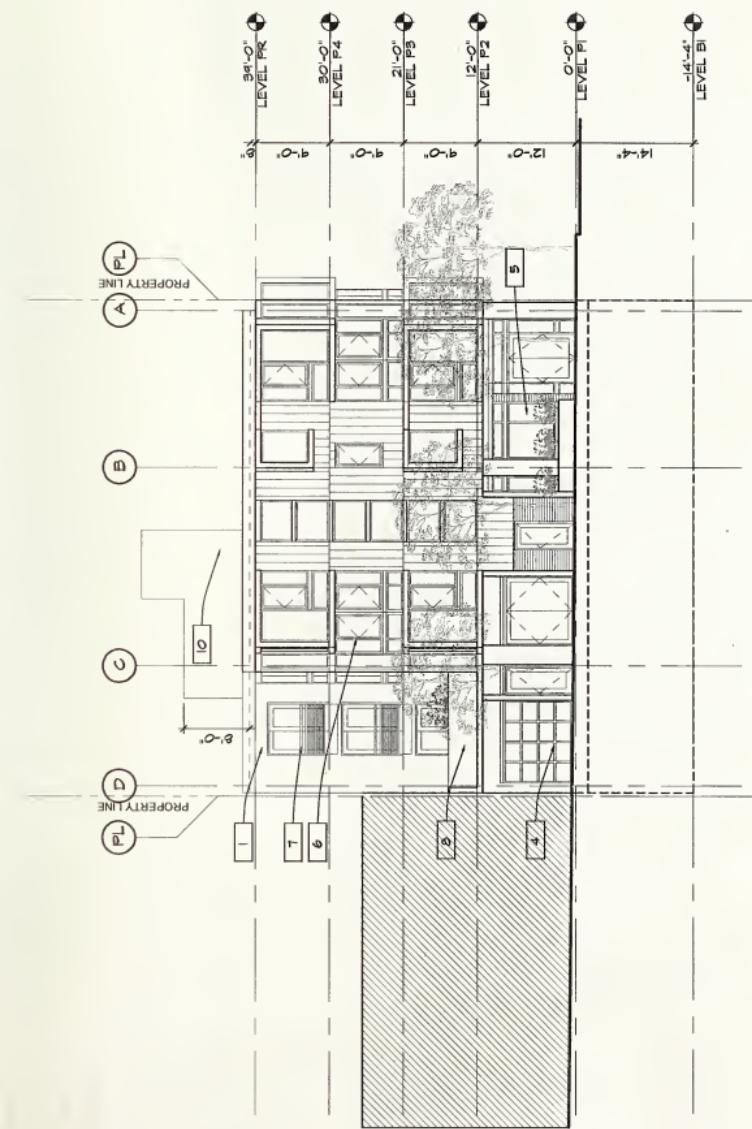


Figure 8: Proposed East Elevation (Powell Street)

SCALE:
1/16": 1'-0"

ELEVATION KEYNOTES

1.	METAL SIDING	6.	ALUMINUM WINDOW
2.	PORCELAIN TILE	7.	ALUMINUM GUARDRAIL
3.	WOOD SIDING	8.	GLASS GUARDRAIL
4.	GARAGE DOOR	9.	CANOPY
5.	STORE FRONT	10.	STUCCO

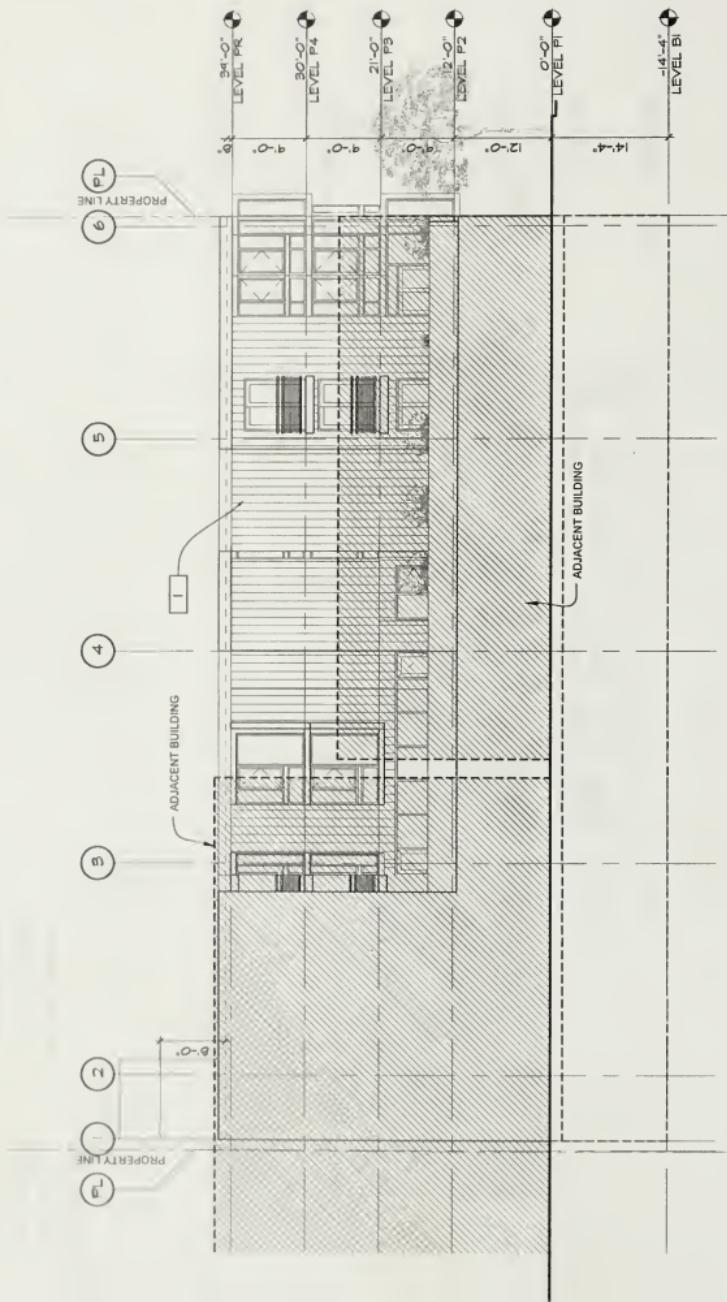


Figure 9: Proposed South Elevation

ELEVATION KEYNOTES

1. METAL SIDING	6. ALUMINUM WINDOW
2. PORCELAIN TILE	7. ALUMINUM GUARDRAIL
3. WOOD SIDING	8. GLASS GUARDRAIL
4. GARAGE DOOR	9. CANOPY
5. STORE FRONT	10. STUCCO



Figure 10: View Along Bay Street





Figure 12: View Along Powell Street

Project Approvals

The proposed project would require the following approvals:

- Permitted Obstructions and Dwelling Unit Exposure Variances and Rear Yard Exception (*Zoning Administrator*)
- Demolition Permit (*Planning Department and Department of Building Inspection*)
- Site/Building Permit (*Planning Department and Department of Building Inspection*)
- Lot Line Adjustment/Lot Merger (*Department of Public Works*)
- Condominium Map (*Department of Public Works*)

The granting of the variance(s)/exception(s) by the Zoning Administrator constitutes the Approval Action for the proposed project pursuant to Section 31.04(h)(3) of the San Francisco Administrative Code. The Approval Action date establishes the start of the 30-day appeal period for this California Environmental Quality Act (CEQA) determination pursuant to Section 31.16(d) of the San Francisco Administrative Code.

B. PROJECT SETTING

The project site is on an improved block bounded by Bay Street on the north, Powell Street on the east, Vandewater Street on the south, and Mason Street on the west. The topography of the project site and the project vicinity is flat. Existing development on the project block consists of one- and two-story commercial buildings and two-, three-, and four-story residential buildings, some of which have ground-floor retail uses. The property adjacent to and south of the project site (2237 and 2241 Powell Street) is occupied by a two-story building containing a second-floor residential use above a ground-floor retail use. The property adjacent to and west of the project site (315 Bay Street) is occupied by a four-story office building. This adjacent property is L-shaped, and the leg of the "L" runs along a portion of the southern lot line of the project site.

The project vicinity is characterized by residential, retail, office, hotel, and parking uses. The scale of development in the project vicinity ranges in height from 15 to 65 feet. There is a four-story office building on the east side of Powell Street across from the project site, and there is a four-story apartment complex on the northeast corner of Bay and Powell streets. The NorthPoint Centre, a shopping center with a two-level parking garage, occupies the entire city block to the north of the project site across Bay Street. Other land uses in the area include the San Francisco Municipal Railway's (Muni's) Kirkland Bus Yard (0.1 mile northeast of the project site), the Longshoremen's Memorial Building (0.1 mile northwest), the North Beach Branch of the San Francisco Public Library (0.2 mile south), and Joe DiMaggio Playground and the North Beach Pool (0.2 mile south).

The project site is well served by public transit. Within one-quarter mile of the project site, Muni operates the 8 Bayshore, 8BX Bayshore B Express, 30 Stockton, 39 Coit, and the 47 Van Ness bus lines, the F Market historic streetcar, and the Powell/Mason cable car.

The entire project block and the blocks to the north are zoned C-2. The blocks to the west are zoned RM-3 (Residential, Mixed, Medium Density), and the blocks to the south are in the North Beach NCD (Neighborhood Commercial District). The blocks to the east are zoned C-2 and RM-3. All of the blocks surrounding the project block are in a 40-X Height and Bulk District.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	<i>Applicable</i>	<i>Not Applicable</i>
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

San Francisco Planning Code and Zoning Maps

The San Francisco Planning Code (Planning Code), which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless the proposed project complies with the Planning Code, an exception or variance is granted pursuant to the provisions of the Planning Code, or legislative amendments to the Planning Code are included and adopted as part of the proposed project.

Land Use

The project site is in a C-2 District. Pursuant to Planning Code Section 210.1, C-2 Districts provide convenience goods to residential areas of the City as well as comparison shopping goods and services to a citywide or regional market area. The composition of C-2 Districts varies from small clusters of stores to shopping centers along major thoroughfares. Pursuant to Planning Code Table 210.1, residential and restaurant uses are principally permitted in C-2 Districts.

The project site is in the Waterfront SUD No. 2. Pursuant to Planning Code Section 240.2, certain land uses in this SUD, such as hotels, motels, and automobile service stations, shall be permitted only with conditional use authorization from the Planning Commission. In addition, any off-street parking in excess of what is required pursuant to Planning Code Section 151 shall be permitted only with conditional use authorization from the Planning Commission. Since the proposed project does not include hotel, motel, or automobile service station uses and does not include more off-street parking spaces than what is required, these provisions of this SUD are not applicable.

The project site is in the Telegraph Hill-North Beach Residential SUD. The provisions of this SUD apply to properties that are zoned RH (Residential, House) or RM (Residential, Mixed). Since the project site is zoned C-2, the provisions of this SUD are not applicable.

Height and Bulk

The project site is in a 40-X Height and Bulk District, which permits a maximum building height of 40 feet. Bulk controls reduce the size of a building's floorplates as the building increases in height. Pursuant to Planning Code Section 270(a), there are no bulk controls in an "X" Bulk District. At a height of 39 feet, the proposed project complies with the 40-foot height limit.

Floor Area Ratio

Floor area ratio (FAR) is the ratio of gross floor area of all the buildings on a lot to the area of the lot. Pursuant to Planning Code Sections 124(e) and 240.2(f), the basic FAR shall be 5.0 to 1 for any property in a C (Commercial) District that is also in one of the Waterfront SUDs. A total of 34,100 gsf can be developed on the 6,820-sf project site. With a total of 28,490 gsf, the proposed project complies with the basic FAR of the project site.

Plans and Policies

San Francisco General Plan

The *San Francisco General Plan (General Plan)* establishes objectives and policies to guide land use decisions related to the physical development of San Francisco. It is comprised of ten elements, each of which addresses a particular topic that applies citywide: Air Quality; Arts; Commerce and Industry; Community Facilities; Community Safety; Environmental Protection; Housing; Recreation and Open Space; Transportation; and Urban Design. Any conflict between the proposed project and policies that relate to physical environmental issues are discussed in Section E, Evaluation of Environmental Effects. The compatibility of the proposed project with *General Plan* policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project.

Proposition M – The Accountable Planning Initiative

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the Planning Code and established eight Priority Policies. These policies, and the topics in Section E, Evaluation of Environmental Effects, that address the environmental issues associated with these policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use and Land Use Planning); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, regarding housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 4a, 4b, 4f, and 4g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use and Land Use Planning); (6) maximization of earthquake preparedness (Questions 13a through 13d, Geology and Soils); (7) landmark and historic building preservation (Question 3a, Cultural Resources); and (8) protection of open space (Questions 8a and 8b, Wind and Shadow, and Questions 9a and 9c, Recreation).

Prior to issuing a permit for any project that requires an Initial Study under CEQA, and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action

that requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation would be consistent with the Priority Policies.

As noted above, the compatibility of the proposed project with *General Plan* objectives and policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project. Any potential conflicts identified as part of the process would not alter the physical environmental effects of the proposed project.

Regional Plans and Policies

The five principal regional planning agencies and their overarching policy-plans to guide planning in the nine-county bay area include the Association for Bay Area Governments' *Projections 2013*, the Bay Area Air Quality Management District's (BAAQMD's) *Bay Area 2010 Clean Air Plan* (*2010 Clean Air Plan*), the Metropolitan Transportation Commission's *Regional Transportation Plan – Transportation 2035*, the San Francisco Regional Water Quality Control Board's *San Francisco Basin Plan*, and the San Francisco Bay Conservation and Development Commission's *San Francisco Bay Plan*. Due to the size and nature of the proposed project, no anticipated conflicts with regional plans would occur.

Required Approvals by Other Agencies

See Section A, Project Description, p. 14, for a list of required project approvals.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

<input type="checkbox"/> Land Use and Land Use Planning	<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Biological Resources
<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Geology and Soils
<input type="checkbox"/> Population and Housing	<input type="checkbox"/> Wind and Shadow	<input type="checkbox"/> Hydrology and Water Quality
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Recreation	<input type="checkbox"/> Hazards and Hazardous Materials
<input type="checkbox"/> Transportation and Circulation	<input type="checkbox"/> Utilities and Service Systems	<input type="checkbox"/> Mineral and Energy Resources
<input type="checkbox"/> Noise	<input type="checkbox"/> Public Services	<input type="checkbox"/> Agriculture and Forest Resources
		<input type="checkbox"/> Mandatory Findings of Significance

This Initial Study examines the proposed project to identify potential effects on the environment. For each item on the Initial Study checklist, the evaluation has considered the impacts of the proposed project both individually and cumulatively. All items on the Initial Study Checklist that have been checked "Less than Significant Impact with Mitigation Incorporated," "Less than Significant Impact," "No Impact" or "Not Applicable" indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that issue. A discussion is included for those issues checked "Less than Significant Impact with Mitigation Incorporated" and "Less than Significant Impact" and for most items checked with "No Impact" or "Not Applicable." For all of the items checked "No Impact" or "Not Applicable" without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Planning Department, such as the *Transportation Impact Analysis Guidelines for Environmental Review* or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Wildlife. For each checklist item, the evaluation has considered the impacts of the proposed project both individually and cumulatively. The items checked above have been determined to be "Less than Significant with Mitigation Incorporated."

Senate Bill 743 and Public Resources Code Section 21099

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014.¹ Among other provisions, SB 743 amended CEQA by adding Public Resources Code Section 21099 regarding the analysis of aesthetics and parking impacts for certain urban infill projects in transit priority areas.²

Aesthetics and Parking Analysis

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- 1) The project is in a transit priority area; and
- 2) The project is on an infill site; and
- 3) The project is residential, mixed-use residential, or an employment center.

¹ SB 743 can be found online at

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB743.

² A "transit priority area" is defined in as an area within one-half mile of an existing or planned major transit stop. A "major transit stop" is defined in Section 21064.3 of the California Public Resources Code as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

The proposed project meets each of the above criteria; therefore this Initial Study does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA.³

Public Resources Code Section 21099(e) states that a Lead Agency maintains the authority to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers and that aesthetics impacts do not include impacts on historical or cultural resources. As such, there will be no change in the Planning Department's methodology related to design and historic review.

The Planning Department acknowledges that parking conditions may be of interest to the public and City decision-makers. Therefore, this Initial Study presents parking demand analysis for informational purposes and considers any secondary physical impacts associated with constrained supply (e.g., queuing by drivers waiting for scarce onsite parking spaces that affects the public right-of-way) as applicable in the transportation analysis in Section E.4, Transportation and Circulation.

E. EVALUATION OF ENVIRONMENTAL EFFECTS

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
1. LAND USE AND LAND USE PLANNING—Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact LU-1: The proposed project would not physically divide an established community. (Less than Significant)

The division of an established community typically involves the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of a means of access, such as a bridge or a roadway. Implementation of the proposed project would not result in the construction of a physical barrier to neighborhood access or the removal of an existing means of access; it would result in the construction of a new four-story, 39-foot-tall building. Implementation of the proposed project would not alter the established street grid or

³ San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist for 2293-2299 Powell Street/309-311 Bay Street*, July 31, 2015.

permanently close any streets or sidewalks. Although portions of the sidewalk adjacent to the project site could be closed for periods of time during project construction, these closures would be temporary in nature. For these reasons, the proposed project would not physically divide an established community. This impact would be less than significant, and no mitigation measures are necessary.

Impact LU-2: The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)

Plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect are those that directly address environmental issues and/or contain targets or standards that must be met in order to maintain or improve characteristics of the City's physical environment. Examples of such plans, policies, or regulations include the Bay Area Air Quality Management District's 2010 *Clean Air Plan* and the San Francisco Regional Water Quality Control Board's *San Francisco Basin Plan*. As discussed in Section C, Compatibility with Existing Zoning and Plans, the proposed project would not substantially conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. This impact would be less than significant, and no mitigation measures are necessary.

Impact LU-3: The proposed project would not have a substantial impact upon the existing character of the vicinity. (Less than Significant)

The proposed project would introduce residential and parking uses to the project site. These land uses already exist elsewhere in the neighborhood, so the proposed project would be compatible with the existing land use character of the project vicinity. The proposed project would not introduce any land uses, such as industrial uses, that would disrupt or be incompatible with the character of the vicinity. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-LU-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative land use impact. (Less than Significant)

Cumulative development in the project vicinity (within a quarter-mile radius of the project site) includes the following projects that are either under construction or for which the Planning Department has an Environmental Evaluation Application on file:

- 400 Bay Street (a 13-room tourist hotel with 2,000 gsf of retail/event space)
- 424 Francisco Street (adding six off-street parking spaces to an existing residential building)
- 2300-2340 Stockton Street (legalize the conversion of an existing building from commercial use to educational use for the Academy of Art University)

- 701 Chestnut Street (legalize the conversion of an existing building from commercial use to educational use for the Academy of Art University)

These nearby cumulative development projects would not physically divide an established community by constructing a physical barrier to neighborhood access or removing a means of access. None of the nearby cumulative development projects would obviously or substantially conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The nearby cumulative development projects would introduce new retail, hotel, educational, and parking uses to the project vicinity. All of these uses currently exist in the project vicinity. The nearby cumulative development projects would not introduce any incompatible uses, such as industrial uses, that would disrupt or be incompatible with the existing character of the project vicinity. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects to create a significant cumulative land use impact.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
2. POPULATION AND HOUSING—Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact PH-1: The proposed project would not directly or indirectly induce substantial population growth in an area. (*Less than Significant*)

In general, a project would be considered growth inducing if its implementation were to result in a substantial population increase or new development that might not occur without the project. The proposed project would replace two vacant buildings with a new mixed-use building containing 17 dwelling units and 5,070 gsf of commercial space. The proposed project would directly increase population and employment at the project site and contribute to anticipated population growth in both the neighborhood and citywide context.

The 2010 U.S. Census reported a population of 805,235 persons in the City and County of San Francisco and a population of 3,739 persons in Census Tract 101, which includes the project

site and its immediate vicinity.^{4,5} The population of census tracts within a quarter-mile radius of the project site is approximately 13,989 persons.⁶ Based on an average household size for San Francisco of 2.27 persons per unit in 2015, the addition of 17 dwelling units would increase the population at the project site by about 39 residents.⁷ This would represent a residential population increase of about 1.04 percent over the 2010 population within Census Tract 101, about 0.28 percent over the 2010 population within the project vicinity (census tracts within a quarter-mile of the project site), and less than 0.01 percent over the 2010 citywide population. The population increase attributable to the proposed project would represent about 0.01 percent of the projected citywide increase in population of about 280,465 persons anticipated between 2010 and 2040.⁸ The increase in the number of dwelling units associated with the proposed project is not considered substantial. Implementation of the proposed project would not directly induce substantial population growth in the project vicinity that would cause a substantial adverse physical change to the environment. The proposed project would not indirectly induce substantial population growth in the project vicinity, because it would not involve any changes to roads, utilities, or other infrastructure.

The proposed project would introduce commercial activity and about 15 employees to the project site.⁹ San Francisco's overall employment is projected to increase by approximately 190,780, from about 568,720 employees in 2010 to approximately 759,500 in 2040.¹⁰ Even if all of the 15 employees associated with the proposed project were conservatively assumed to be new to San Francisco, the project-related employment growth would represent considerably less than 1 percent (0.008 percent) of the City's estimated employment growth between the years 2010 and 2040. This estimated increase in employment would be negligible in the context of total employment in San Francisco. For these reasons, implementation of the proposed project would not induce substantial growth or concentration of employment that would cause a substantial adverse physical change to the environment.

In summary, project-related residential and employment population increases would be less than significant in relation to the existing number of residents and employees in the project vicinity and to the expected increases in the residential and employment populations of San Francisco.

⁴ U.S. Census Bureau, *American FactFinder, Profile of General Population and Housing Characteristics: 2010, 2010 Demographic Profile Data*. Available online at <http://factfinder2.census.gov/aces/nav/jsf/pages/index.xhtml>, accessed June 19, 2015.

⁵ Census Tract 101 is generally bounded by Leavenworth Street and Columbus Avenue on the west, Chestnut Street on the south, and San Francisco Bay on the east and the north.

⁶ Census Tracts 103, 104, and 107. U.S. Census Bureau, *American FactFinder, Profile of General Population and Housing Characteristics: 2010, 2010 Demographic Profile Data*. Available online at <http://factfinder2.census.gov/aces/nav/jsf/pages/index.xhtml>, accessed June 19, 2015.

⁷ Association of Bay Area Governments (ABAG), *Projections 2013*, p. 74.

⁸ ABAG, *Projections 2013*, p. 75. The projected residential population of San Francisco for 2040 is 1,085,700 persons.

⁹ San Francisco Planning Department, *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002, Appendix C, Table C-1. An employment factor of 350 gsf per employee is used for eating/drinking uses. Based on 5,070 gsf of restaurant space, there would be 15 employees (14.4 rounded up to 15).

¹⁰ ABAG, *Projections 2013*, p. 75.

The proposed project would not directly or indirectly induce substantial population growth or concentration of employment in the project vicinity or citywide such that an adverse physical change to the environment would occur. This impact would be less than significant, and no mitigation measures are necessary.

Impact PH-2: The proposed project would not displace substantial numbers of existing housing units or people and would not create demand for additional housing, necessitating the construction of replacement housing. (Less than Significant)

The proposed project would not displace any existing housing units or people, because the existing buildings on the project site are vacant. There would be no need to construct replacement housing units. As noted above, the operation of the proposed project would result in a permanent increase of about 15 employees at the project site. Assuming that some of these employees would be new to the region, the increase of 15 employees could result in a small increase in demand for additional housing. However, the housing demand generated by 15 employees would be very small compared to the total population of and the available housing stock in San Francisco and the Bay Area. Such a small demand would not necessitate the construction of new housing. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-PH-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to population and housing. (Less than Significant)

Cumulative development in the project vicinity would result in an intensification of land uses and cumulative increases in the residential and employment populations at the neighborhood, citywide, and regional levels. This cumulative growth is consistent with projections presented in *Plan Bay Area and Projections 2013*. As discussed under Impacts PH-1 and PH-2, the proposed project's contribution to this cumulative growth would not be substantial. The proposed project would not combine with past, present, and reasonably foreseeable future projects to create a significant cumulative impact related to population and housing.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
3. CULTURAL RESOURCES—Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact CR-1: The proposed project would not cause a substantial adverse change in the significance of a historical resource. (Less than Significant)

Historical resources are those properties that meet the definitions in Section 21084.1 of the CEQA statute and Section 15064.5 of the CEQA Guidelines. Historical resources include properties listed in, or formally determined eligible for listing in, the California Register of Historical Resources (California Register) or in an adopted local historic register. Historical resources also include resources identified as significant in a historical resource survey meeting certain criteria. Additionally, properties that are not listed but are otherwise determined to be historically significant, based on substantial evidence, would also be considered historical resources. The significance of a historical resource is materially impaired when a project “demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance.”

Implementation of the proposed project includes the demolition of the two existing buildings at 2293-2299 Powell Street and 309-311 Bay Street. In evaluating whether the proposed project would cause a substantial adverse change in the significance of a historical resource, the Planning Department must first determine whether the existing buildings on the project site are historical resources. A property may be considered a historical resource if it meets any of the California Register criteria related to (1) events, (2) persons, (3) architecture, or (4) information potential, that make it eligible for listing in the California Register, or if it is considered a contributor to a potential historic district.

The building at 2293-2299 Powell Street was constructed in 1920, and the building at 309-311 Bay Street was constructed in 1906. Neither building is listed in a local, state, or national historical register, and neither building is a contributor to an existing or potential historic district. For the purpose of environmental review, both buildings are considered Category B: Properties Requiring Further Consultation and Review (i.e., they are potential historical resources). A Historic Resource Evaluation (HRE) was prepared to assist the Planning Department in determining whether the existing buildings are historical resources.¹¹ The Planning Department reviewed the HRE, concurred with the findings, and issued a Historical Resource Evaluation Response (HMER) determining that neither building is a historical resource.¹²

¹¹ Environmental Science Associates, *Historic Resources Evaluation Report, 2293-2299 Powell Street and 309-311 Bay Street, San Francisco, California*, May 2015.

¹² San Francisco Planning Department, *Historic Resource Evaluation Response, 2293-2299 Powell Street and 309-311 Bay Street* (hereinafter “HMER”), August 19, 2015.

The buildings retain architectural, cultural, and social ties to the Italian immigrants who influenced the development of North Beach during the 20th century, but there are many other examples of buildings that exhibit stronger associations.¹³ Therefore, the buildings are not eligible for listing in the California Register under Criterion 1: Events.

Both buildings were associated with the Bullo family, who owned and operated the bar and restaurant, from 1920 until the late 1950s. After the late 1950s, the buildings were associated with other individuals of Italian descent who operated the restaurant until 2012. None of the individuals associated with the buildings and the restaurant has been identified as important to local, regional, or national history.¹⁴ Therefore, the buildings are not eligible for listing in the California Register under Criterion 2: Persons.

Both buildings have undergone extensive alterations since they were originally constructed. These alterations do not convey a specific architectural style or construction method, and they detract from the buildings' original architectural design that was inspired by the Edwardian Era.¹⁵ Therefore, the buildings are not eligible for listing in the California Register under Criterion 3: Architecture.

Based on a review of Planning Department records, the buildings are not significant under Criterion 4: Information Potential, which is typically associated with archeological resources.¹⁶ In addition, the buildings are unlikely to yield information important to history, such as evidence of unique building materials or methods and how those materials or methods influenced local building development.¹⁷ Therefore, the buildings are not eligible for listing in the California Register under Criterion 4.

In conclusion, the existing buildings at 2293-2299 Powell Street and 309-311 Bay Street are not eligible for listing on the California Register as individual resources or as contributors to a historic district and thus are not considered historical resources under CEQA. For these reasons, the proposed project would not cause a substantial adverse change in the significance of a historical resource. This impact would be less than significant, and no mitigation measures are necessary.

Impact CR-2: The proposed project would not cause a substantial adverse change in the significance of an archeological resource. (*Less than Significant*)

Determining the potential for encountering archeological resources includes relevant factors such as the location, depth, and amount of excavation proposed as well as any recorded information on known resources in the area. Construction of the proposed project would require excavation to a depth of 12 feet below ground surface and the removal of approximately 2,975 cubic yards of soil. Due to the depth of the proposed excavation, the Planning Department conducted a

¹³ HRER, p. 5.

¹⁴ HRER, p. 5.

¹⁵ HRER, p. 5.

¹⁶ HRER, p. 5.

¹⁷ HRER, pp. 5-6.

Preliminary Archeological Review and determined that the proposed project would have no effect on archeological resources.¹⁸ For these reasons, the proposed project would not cause a substantial adverse change in the significance of an archeological resource. This impact would be less than significant, and no mitigation measures are necessary.

Impact CR-3: The proposed project would not disturb human remains. (*Less than Significant*)

Impacts on Native American burials are considered under Public Resources Code Section 15064.5(d)(1). When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains on a project site, the lead agency is required to work with the appropriate tribal entity, as identified by the California Native American Heritage Commission (NAHC). The lead agency may develop an agreement with the appropriate tribal entity for testing or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. By implementing such an agreement, a project becomes exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5) and the requirements of CEQA pertaining to Native American human remains. The treatment of human remains and of associated or unassociated funerary objects discovered during the proposed project's soils-disturbing activities would comply with applicable state laws, including immediate notification of the City and County of San Francisco Coroner. If the Coroner were to determine that the remains are Native American, the NAHC would be notified and would appoint a Most Likely Descendant (Public Resources Code Section 5097.98).

In the event that human remains and associated funerary objects are discovered during excavation, the project sponsor and the construction contractor would be required to follow local, state, and federal procedures pertaining to the handling, relocation, and/or disposal with dignity of such remains and objects. This impact would be less than significant, and no mitigation measures are necessary.

Impact CR-4: The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource. (*No Impact*)

Tribal cultural resources are those resources that meet the definitions in Public Resources Code Section 21074. Tribal cultural resources are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either (a) included or determined to be eligible for inclusion in the California Register of Historical Resources or (b) included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). Based on discussions with Native American tribal representatives, in San Francisco, prehistoric archeological resources are presumed to be potential tribal cultural resources. A tribal cultural resource is adversely affected when a project impacts its significance.

¹⁸ Randall Dean, San Francisco Planning Department, email to Michael Li, San Francisco Planning Department, July 16, 2015.

Pursuant to Assembly Bill 52, effective July 1, 2015, within 14 days of a determination that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency is required to contact the Native American tribes that are culturally or traditionally affiliated with the geographic area in which the project is located. Notified tribes have 30 days to request consultation with the lead agency to discuss potential impacts on tribal cultural resources and measures for addressing those impacts.

On August 12, 2015, the Planning Department mailed a "Tribal Notification Regarding Tribal Cultural Resources and CEQA" to the appropriate Native American tribal representatives who have requested notification. During the 30-day comment period, no Native American tribal representatives contacted the Planning Department to request consultation. Furthermore, as discussed under Impact CR-2, the proposed project would have no effect on prehistoric archeological resources. For these reasons, the proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource. No impact would occur.

Impact C-CR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in cumulative impacts on cultural resources. (Less than Significant)

As discussed under Impacts CR-1 through CR-4, implementation of the proposed project would not cause a substantial adverse change in the significance of a historical resource, an archeological resource, or a tribal cultural resource and would not disturb human remains. For these reasons, the proposed project would not make a considerable contribution to any cumulative impact on cultural resources that could result from past, present, or reasonably foreseeable future projects in the project vicinity.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
4. TRANSPORTATION AND CIRCULATION— Would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project site is on the southwest corner of Powell and Bay streets; it is approximately 0.2 mile south of Fisherman's Wharf, a popular tourist destination along San Francisco's waterfront. Powell Street runs north-south and has two lanes of travel (one in each direction) with curbside parking on either side of the street. The sidewalks along Powell Street are 12 feet wide. Bay Street runs east-west and has four lanes of travel (two in each direction) with curbside parking on either side of the street. The sidewalks along Bay Street are eight feet wide. There is an existing on-street loading space on Bay Street directly in front of the project site. North Point Street, which is one block north of the project site and runs parallel to Bay Street, is designated as Bicycle Route No. 2; this bicycle route features a dedicated bicycle lane in each direction at the edge of the roadway.¹⁹

Approach to Analysis

Policy 10.4 of the Transportation Element of the *General Plan* directs City decision-makers to "consider the transportation system performance measurements in all decisions for projects that affect the transportation system." In order to determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance, or policy, this section discusses the potential impacts that the proposed project could have on traffic, transit, pedestrian, bicycle, and emergency vehicle circulation as well as potential impacts associated with loading activities and construction activities. As noted on pp. 18-19, parking is not considered a potential environmental impact, but parking is discussed for informational purposes.

Trip Generation

The proposed project consists of the demolition of the two existing on-site buildings and the construction of a four-story building containing 17 dwelling units, approximately 5,070 gsf of commercial space, 17 automobile parking spaces, and 26 bicycle parking spaces.

¹⁹ San Francisco Municipal Transportation Agency, *San Francisco Bike Map and Walking Guide*, 14th Edition, 2014. Available online at <https://www.sfmta.com/maps/san-francisco-bike-map-and-walking-guide>, accessed July 21, 2015.

Trip generation for the proposed project was calculated using information in the 2002 *Transportation Impact Analysis Guidelines for Environmental Review (Transportation Guidelines)* developed by the San Francisco Planning Department.²⁰ The proposed project would generate an estimated 1,154 person trips (inbound and outbound) on a weekday daily basis, consisting of 425 person trips by auto, 212 transit trips, 388 walk trips, and 129 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 60 person trips by auto. Accounting for vehicle occupancy data for the project site's census tract, the proposed project would generate 213 daily vehicle trips, 31 of which would occur during the p.m. peak hour.

Impact TR-1: The proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system and would not conflict with an applicable congestion management program. (Less than Significant)

Traffic

Vehicle trips associated with the proposed project would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free-flow conditions with little or no delay, while LOS F represents congested conditions with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable LOS in San Francisco.

The proposed project would generate 31 p.m. peak-hour vehicle trips that would travel through surrounding intersections. These 31 p.m. peak-hour vehicle trips represent a small portion of the overall number of p.m. peak-hour vehicle trips that pass through surrounding intersections. For example, about 1,088 vehicles pass through the intersection of Bay and Mason streets (one block west of the project site) in the westbound direction during the p.m. peak hour.²¹ The proposed project's daily and p.m. peak-hour vehicle trips would not substantially increase traffic volumes at nearby intersections, would not substantially increase the average delay to the degree that the LOS of nearby intersections would deteriorate from acceptable to unacceptable, and would not substantially increase the average delay at intersections that currently operate at an unacceptable LOS.

For these reasons, the proposed project would result in less-than-significant traffic impacts, and no mitigation measures are necessary.

Construction Traffic

Construction of the proposed project would take 16 to 18 months. Construction staging would occur primarily on the project site and is not expected to close any travel lanes on Bay Street or Powell Street; any necessary closures would be temporary. During the construction period, there

²⁰ San Francisco Planning Department, *Transportation Calculations, 2293-2299 Powell Street/309-311 Bay Street*, July 20, 2015.

²¹ San Francisco Municipal Transportation Agency, *SFMTA Traffic Count Data 1993-2013*, March 25, 2014.

would be a flow of construction-related trucks to and from the project site. Due to the slower movement and larger turning radii of trucks, there would be a temporary reduction in the capacities of local streets. Construction activities would generate construction worker trips to and from the project site and a temporary demand for parking and public transit. Construction workers would likely park their vehicles in nearby off-street parking facilities or in the proposed project's parking garage after it has been completed. The temporary demand for public transit would not exceed the capacity of local or regional transit service. Due to the temporary nature of the construction activities, the construction-related impacts on transportation and circulation would be less than significant. No mitigation measures are necessary, but the project sponsor has agreed to implement Improvement Measure I-TR-1 in order to minimize construction-related traffic congestion as much as possible.

Improvement Measure I-TR-1

The project sponsor should require the construction contractor to limit truck movements to the hours between 9:00 a.m. and 3:30 p.m., or other times if approved by the San Francisco Municipal Transportation Agency (SFMTA), in order to minimize the disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods. The project sponsor and construction contractor should meet with the Traffic Engineering Division of the SFMTA, the Fire Department, the San Francisco Municipal Railway (Muni), the Planning Department, and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during the construction period. In addition, the construction contractor should make arrangements for off-site parking for construction workers during the construction period.

Loading

Pursuant to Planning Code Section 152, the proposed project is not required to provide any off-street loading spaces. As discussed above, there is an existing on-street loading space on Bay Street directly in front of the project site. During a midday field observation, this loading space was unoccupied and available for use.²²

Loading demand for the proposed project was calculated using the methodology set forth in the *Transportation Guidelines*. The proposed project would generate 19 loading trips per day, which equates to an average peak-hour loading demand of less than one space. The peak loading demand for the proposed project could be met by the existing on-street loading spaces.

Given the peak-hour loading demand of less than one space for the proposed project and the availability of existing on-street loading spaces near the project site, the proposed project would not have significant loading impacts.

Parking

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the

²² Field observation on August 21, 2015.

environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.²³ The Planning Department acknowledges that parking conditions may be of interest to the public and City decision-makers. Therefore, the following parking demand analysis is provided for informational purposes only.

The parking demand for the new residential and commercial uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*. On an average weekday, the demand for parking would be 38 spaces. The proposed project would provide 17 parking spaces as required by the Planning Code, which would result in an unmet parking demand of 21 spaces. At this location, the unmet parking demand could be accommodated by existing on-street and off-street parking spaces within a reasonable distance from the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the proposed project would not materially affect the overall parking conditions in the project vicinity in such a way that hazardous conditions or significant delays would be created.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition but changes over time as people change their modes and patterns of travel. Although parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles, or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions depends on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles, or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City’s “Transit First” policy and numerous *San Francisco General Plan* policies, including those in the *Transportation*

²³ San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist for 2293-2299 Powell Street/309-311 Bay Street*, July 31, 2015.

Element. The City's Transit First policy, established in the City's Charter, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as drivers circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e., walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the project site would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

Impact TR-2: The proposed project would not result in a change in air traffic patterns. (No Impact)

The project site is not within the vicinity of a public airport, a public use airport, or a private airstrip. At a height of 39 feet, the proposed building would not be tall enough to result in changes to air traffic patterns. No impact would occur.

Impact TR-3: The proposed project would not substantially increase hazards due to a design feature or incompatible uses. (Less than Significant)

Implementation of the proposed project would not introduce a hazardous design feature, such as a sharp curve or a dangerous intersection. The proposed project would be constructed within the boundaries of the project site; there would be no alterations to the existing street grid. As discussed in Section E.1, Land Use and Land Use Planning, the proposed project does not include any land uses that would be incompatible with existing land uses in the project vicinity. For these reasons, the proposed project would not increase traffic hazards due to a design feature or incompatible use. This impact would be less than significant, and no mitigation measures are necessary.

Impact TR-4: The proposed project would not result in inadequate emergency access. (Less than Significant)

Implementation of the proposed project would not result in the permanent closure of any existing streets in the project vicinity, so emergency vehicle access would remain unchanged from existing conditions. Emergency vehicles would continue to access the project site from either Bay Street or Powell Street. This impact would be less than significant, and no mitigation measures are necessary.

Impact TR-5: The proposed project would not conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such features. (Less than Significant)

Transit

The project site is well served by public transit. Within one-quarter mile of the project site, Muni operates the 8 Bayshore, 8BX Bayshore B Express, 30 Stockton, 39 Coit, and the 47 Van Ness bus lines, the F Market historic streetcar, and the Powell/Mason cable car.

The proposed project would generate 212 daily transit trips, including 30 during the p.m. peak hour. These transit trips would be distributed among the multiple transit lines serving the project vicinity. Given the availability of nearby transit, the addition of 30 p.m. peak-hour transit trips would be accommodated by existing capacity. For these reasons, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Bicycles

It is anticipated that some of the daily person trips to and from the project site would be made by bicycle. The proposed project would provide a total of 26 bicycle parking spaces (18 Class 1 spaces for the residents of the proposed project and eight Class 2 spaces that would be accessible to the public). Implementation of the proposed project would not alter the existing street grid or result in other physical changes that would affect Bicycle Route No. 2 along North Point Street. The proposed project would generate 213 daily and 31 p.m. peak-hour vehicle trips, but these vehicle trips would be distributed among all of the streets in the project vicinity and would not be concentrated along Bicycle Route No. 2 along North Point Street. For these reasons, the proposed project would not conflict with adopted policies, plans or programs regarding bicycle facilities or decrease the performance or safety of such features. This impact would be less than significant, and no mitigation measures are necessary.

Pedestrians

The proposed project would generate 388 daily pedestrian trips to and from the project site, including 54 pedestrian trips during the p.m. peak hour. As discussed above, the sidewalks on Powell Street are 12 feet wide, and the sidewalks on Bay Street are eight feet wide. Implementation of the proposed project would not result in the narrowing of sidewalks, the expansion of roadways, or other alterations to the existing street grid. The sidewalks in the project vicinity would be able to accommodate the additional pedestrian trips generated by the proposed project without becoming substantially overcrowded or substantially affecting pedestrian flows. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-TR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative impacts related to transportation. (Less than Significant)

Construction of the proposed project could overlap with construction of nearby cumulative development projects. The combined construction-related traffic would be temporary and would not result in permanent impacts related to transportation and circulation. As discussed under Impacts TR-1, TR-4, and TR-5, the proposed project would result in less-than-significant impacts

on traffic, emergency access, transit, bicycles, and pedestrians. For these reasons, the proposed project would not make a considerable contribution to any cumulative impact related to transportation and circulation that could result from past, present, or reasonably foreseeable future projects in the project vicinity.

Topics:	Potentially Significant Impact	Less Than Significant		Less Than Significant Impact	No Impact	Not Applicable
		with Mitigation Incorporated	Without Mitigation Incorporated			
5. NOISE—Would the project:						
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

In San Francisco, noise is regulated by a number of state and local ordinances and plans. Title 24 of the California Code of Regulations (Title 24) establishes uniform noise insulation standards for multi-unit residential projects. This state regulation requires meeting an interior standard of 45 dBA DNL in any habitable room.^{24, 25}

²⁴ The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid- and high-frequency sound. This measurement adjustment is called "A" weighting, and the data are reported in A-weighted decibels (dBA).

²⁵ DNL is the average equivalent sound level during a 24-hour day, obtained after the addition of 10 dB to sound levels during nighttime hours (from 10:00 p.m. until 7:00 a.m.).

The Environmental Protection Element of the *General Plan* contains Land Use Compatibility Guidelines for Community Noise.²⁶ These guidelines establish maximum acceptable ambient noise levels for various newly developed land uses. For residential uses, the maximum satisfactory noise level without incorporating noise insulation into a project is 60 dBA DNL, while the guidelines indicate that residential development should be discouraged at noise levels above 70 dBA DNL. Where ambient noise levels exceed 65 dBA DNL, a detailed analysis of noise reduction requirements is typically necessary before final review and approval, and new residences must include noise insulation features.

In the *San Francisco 2004 and 2009 Housing Element EIR (Housing Element EIR)*, Mitigation Measure NO-1: Interior and Exterior Noise, requires the preparation of a noise analysis for new residential development located on streets with noise levels above 75 dBA DNL. The noise analysis shall include, at a minimum, (1) a site survey to identify potential noise-generating uses within two blocks of the project site and (2) at least one 24-hour noise measurement with maximum noise level readings taken at least every 15 minutes prior to completion of the environmental review. The analysis shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met and that there are no particular circumstances about the project site that appear to warrant heightened concern about noise levels in the project vicinity. Should such concerns be present, the Planning Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action in order to demonstrate that acceptable interior noise levels consistent with Title 24 standards can be attained.

To minimize effects on development in noisy areas, Mitigation Measure M-NO-1 of the *Housing Element EIR* also requires that open space for new residential uses be protected, to the maximum extent feasible, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve designing the project in a way that uses the building itself to shield on-site open space from noise sources, constructing noise barriers between on-site open space and noise sources, and appropriately using both common and private open space in multi-unit residential buildings. Implementation of this measure should be undertaken consistent with other principles of urban design.

Noise from construction activities and from the operation of building equipment is regulated by the San Francisco Noise Ordinance (Noise Ordinance), which is codified as Article 29 of the San Francisco Police Code. Section 2907 of the Noise Ordinance requires that noise levels from any individual piece of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Department of Public Works (DPW) or the Department of Building Inspection (DBI). Section 2908 of the Noise Ordinance prohibits construction between 8:00 p.m. and 7:00 a.m. if noise would exceed the ambient noise level by 5 dBA at the project site's property line, unless a special permit is authorized by the DPW or the DBI. Section 2909 of the Noise Ordinance establishes a noise limit from mechanical

²⁶ *San Francisco General Plan*. Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise. Available online at http://www.sfgov.net/2009genplan/ftp/general_plan/l16_Environmental_Protection.htm, accessed August 4, 2015.

sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line; for noise generated by residential uses, the source must not cause a noise level more than 5 dBA in excess of ambient noise levels; for noise generated by commercial and industrial uses, the limit is 8 dBA in excess of ambient noise levels; for noise on public property, including streets, the limit is 10 dBA in excess of ambient noise levels. In addition, the Noise Ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night (from 10:00 p.m. until 7:00 a.m.) and 55 dBA during the day and evening hours (from 7:00 a.m. until 10:00 p.m.).

Impact NO-1: The proposed project would expose people to or generate noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies, but it would not result in a substantial permanent increase in ambient noise levels in the project vicinity or be substantially affected by existing noise levels. (*Less than Significant*)

The proposed project includes sensitive receptors in the form of residential uses. In addition, the project site fronts Bay Street, which has ambient noise levels exceeding 75 dBA DNL. As required by Mitigation Measure NO-1 of the *Housing Element EIR*, a noise analysis was conducted to document existing ambient noise levels in the project vicinity and provide recommendations related to the proposed project's design and construction. The findings are presented in a noise study and are summarized below.²⁷

The noise analysis included long-term (24-hour) noise measurements at two locations near the project site. One noise monitor was on Bay Street at the northwest corner of the project site, and the other noise monitor was on Powell Street approximately 40 feet south of the project site. Both noise monitors were positioned 12 feet above grade. Based on the noise measurements, the existing ambient noise level is 75 dBA DNL at the Bay Street location and 76 dBA DNL at the Powell Street location.²⁸ As discussed above, the Land Use Compatibility Guidelines for Community Noise found in the Environmental Protection Element of the *General Plan* discourage the development of residential uses in areas where the ambient noise levels exceed 70 dBA DNL. In order to achieve interior noise levels of 45 dBA DNL and comply with Title 24, the proposed project would be required to use window and exterior door assemblies with specific sound transmission class (STC) ratings. Depending on their locations, the windows and exterior doors of the proposed building would need to have minimum STC ratings ranging from 41 to 28 on the second through fourth floors in order to achieve interior noise levels that do not exceed 45 dBA DNL.²⁹ Implementation of the recommendations in the noise study would ensure that the proposed project would comply with Title 24 and that the residents of the proposed project would not be substantially affected by existing noise levels.

In compliance with Mitigation Measure NO-1 of the *Housing Element EIR*, the proposed project's on-site open space would be protected from existing sources of noise in order to minimize

²⁷ Charles M. Salter Associates, Inc., *Bay and Powell – Environmental Noise Study* (hereinafter "Noise Study"), March 6, 2015.

²⁸ *Noise Study*, Figure 1

²⁹ *Noise Study*, Figures 3 and 4.

disruption to users of the open space. The proposed open space on the second floor would be shielded from traffic noise on Bay Street by the building itself. Implementation of this design feature would ensure that the proposed project's open space would not be substantially affected by existing noise levels.

Residential uses are considered sensitive receptors for the purpose of noise impact analysis. As discussed in Section B, Project Setting, there is a residential use adjacent to and south of the project site and a residential use on the northeast corner of Bay and Powell streets. These are the sensitive receptors closest to the project site. The proposed project would include mechanical equipment, such as heating and ventilation systems, that could produce operational noise and potentially disturb adjacent and nearby sensitive receptors. The operation of this mechanical equipment is subject to the provisions of Section 2909 of the Noise Ordinance. Compliance with the Noise Ordinance would minimize noise from building operations. Moreover, the design of any on-site noise-generating mechanical equipment would be required to include noise muffling devices or shielding to reduce noise levels that may affect adjacent and nearby sensitive receptors.

For these reasons, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity and would not be substantially affected by existing noise levels. This impact would be less than significant, and no mitigation measures are necessary.

Impact NO-2: The proposed project would not expose people to or generate excessive groundborne vibration or groundborne noise levels. (Less than Significant)

In the project vicinity, vehicular traffic is the primary source of noise and vibration. The traffic volume at a given location would need to double in order to produce a 3-dB increase in ambient noise levels, which would be barely perceptible to most people.³⁰ On a daily basis, about 9,390 vehicles travel westbound on Bay Street past the project site.³¹ The proposed project would generate 213 daily vehicle trips, which would be about a 2.2 percent increase over the existing daily traffic volume on Bay Street. This increase in the number of daily vehicle trips would not double the existing traffic volume on Bay Street and would not result in a substantial increase in ambient noise and vibration levels.

The proposed project would be supported by a mat slab foundation. Piles would not be necessary, so there would be no noise or vibration impacts associated with pile driving during construction. The proposed project's construction activities would be temporary in nature; once construction has been completed, noise and vibration produced by construction equipment and construction vehicles would cease.

³⁰ United States Department of Transportation, Federal Highway Administration, *Highway Traffic Noise: Analysis and Abatement Guidance*, December 2011, p. 9. Available online at http://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf, accessed August 4, 2015.

³¹ San Francisco Municipal Transportation Agency, *SFMTA Traffic Count Data 1993-2013*, March 25, 2014.

Older buildings, particularly masonry buildings, can be damaged by excessive vibration associated with construction activities. As discussed above, construction of the proposed project would not generate excessive vibration that could damage adjacent or nearby buildings. In addition, the DBI is responsible for reviewing the building permit application to ensure that proposed construction activities, including shoring and underpinning, comply with all applicable procedures and requirements and would not materially impair adjacent or nearby buildings.

For these reasons, the proposed project would not expose people to or generate excessive groundborne vibration or groundborne noise levels. This impact would be less than significant, and no mitigation measures are necessary.

Impact NO-3: The proposed project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity. (*Less than Significant*)

Construction of the proposed project would temporarily increase noise levels in the project vicinity. Construction equipment would generate noise that could be considered an annoyance by occupants of nearby properties, but construction noise would fluctuate depending on the construction phase, equipment type, duration of use, and distance between the source and the listener. Furthermore, construction noise would be intermittent and limited to the construction period of the proposed project, which is expected to last 16 to 18 months.

As discussed above, construction noise is regulated by Sections 2907 and 2908 of the Noise Ordinance. Compliance with the Noise Ordinance would ensure that the proposed project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity. This impact would be less than significant. No mitigation measures are necessary, but the project sponsor has agreed to implement Improvement Measure I-NO-3 in order to minimize construction-related noise as much as possible.

Improvement Measure I-NO-3

The project sponsor should develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures should be submitted to the DBI to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures should include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around the construction site;
- Utilize noise control blankets on the building as the building is erected to reduce noise emission from the site;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site with information regarding permitted construction days and hours, complaint procedures, and the name(s) and telephone number(s) of the individual(s) to be contacted in the event of a problem.

Impact NO-4: The proposed project would not expose people residing or working in the area to excessive noise levels from nearby airports or airstrips. (Not Applicable)

The project site is not located within an area covered by an airport land use plan, within two miles of a public airport or a public use airport, or within the vicinity of a private airstrip. Therefore, significance criteria 5e and 5f are not applicable to the proposed project.

Impact C-NO-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative impacts related to noise and vibration. (Less than Significant)

Cumulative development in the project vicinity would result in temporary and intermittent construction noise but would not introduce new sensitive receptors to an area with elevated ambient noise and vibration levels. Like the proposed project, nearby cumulative development projects would be subject to the provisions of Title 24, the Environmental Protection Element of the *General Plan*, and the Noise Ordinance. Compliance with these regulations would reduce the noise impacts of nearby cumulative development projects to less-than-significant levels. Construction-related vibration impacts from nearby cumulative development projects would be localized at their respective sites and would not combine to create cumulative vibration impacts. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative noise or vibration impact.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
6. AIR QUALITY—Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Overview

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa Counties and portions of Sonoma and Solano Counties. The BAAQMD is responsible for attaining and maintaining air quality in the SFBAAB within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCA), respectively. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the SFBAAB and to develop and implement strategies to attain the applicable federal and state standards. The CAA and the CCAA require plans to be developed for areas that do not meet air quality standards, generally. The most recent air quality plan, the *2010 Clean Air Plan*, was adopted by the BAAQMD on September 15, 2010. The *2010 Clean Air Plan* updates the *Bay Area 2005 Ozone Strategy* in accordance with the requirements of the CCAA to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The *2010 Clean Air Plan* contains the following primary goals:

- Attain air quality standards;
- Reduce population exposure and protect public health in the San Francisco Bay Area; and
- Reduce greenhouse gas emissions and protect the climate.

The *2010 Clean Air Plan* represents the most current applicable air quality plan for the SFBAAB. Consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of air quality plans.

Criteria Air Pollutants

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment³² or unclassified for most criteria pollutants with the exception of ozone, PM_{2.5}, and PM₁₀; these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project, by itself, is sufficient in size to result in non-attainment of air quality standards.

³² "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status for a specified criteria air pollutant.

Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.³³

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 1: Criteria Air Pollutant Significance Thresholds, identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the SFBAAB.

Table 1: Criteria Air Pollutant Significance Thresholds

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO _x	54	54	10
PM ₁₀	82 (exhaust)	82	15
PM _{2.5}	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

Ozone Precursors. As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO_x). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal CAA emissions limits for stationary sources. To ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO_x, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).³⁴ These levels represent emissions below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO_x emissions as a result of increases in vehicle trips, architectural coating and construction activities. Therefore, the thresholds discussed above can be applied to the construction and operational phases of land use projects. Those projects that result in

³³ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2011, p. 2-1.

³⁴ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, p. 17.

emissions below these thresholds would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO_x emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

Particulate Matter (PM₁₀ and PM_{2.5}).³⁵ The BAAQMD has not established an offset limit for PM_{2.5}. However, the emissions limit in the federal New Source Review (NSR) program for stationary sources in nonattainment areas is an appropriate significance threshold. For PM₁₀ and PM_{2.5}, the emissions limit under the federal NSR program is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels below which a source is not expected to have an impact on air quality.³⁶ As with ozone precursors, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the thresholds discussed above can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

Fugitive Dust. Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust³⁷ and individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.³⁸ The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.³⁹ The City's Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008) requires a number of measures to control fugitive dust, and the BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

Other Criteria Pollutants. Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 11 years, and SO₂ concentrations have never exceeded the standards. The primary source of CO emissions from development projects is vehicle traffic. Construction-related SO₂ emissions represent a negligible portion of the total Bay Area basin-wide emissions, and construction-related CO emissions represent less than five percent of the total Bay Area basin-wide CO emissions. As discussed previously, the Bay Area is in attainment for both CO and SO₂. Furthermore, the BAAQMD has demonstrated, based on modeling, that in order to exceed the California ambient air quality standard of 9.0 ppm (an 8-hour average) or 20.0 ppm

³⁵ PM₁₀ is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM_{2.5}, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

³⁶ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, p. 16.

³⁷ Western Regional Air Partnership, *WRAP Fugitive Dust Handbook*, September 7, 2006. Available online at http://www.wrapair.org/forums/dej/fdh/content/FDHandbook_Rev_06.pdf, accessed August 24, 2015.

³⁸ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, p. 27.

³⁹ BAAQMD, *CEQA Air Quality Guidelines*, May 2011.

(a 1-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is limited). Therefore, given the Bay Area's attainment status and the limited CO and SO₂ emissions that could result from development projects, implementation of development projects would not result in a cumulatively considerable net increase in CO or SO₂, and quantitative analysis is not required.

Local Health Risks and Hazards

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but short-term) adverse effects on human health, including carcinogenic effects. Human health effects of TACs include birth defects, neurological damage, cancer, and mortality. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated and considered together with information regarding the toxic potency of the substances to provide quantitative estimates of health risks.⁴⁰

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality, because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than that for other land uses. Therefore, these groups are referred to as sensitive receptors. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

Exposures to fine particulate matter (PM_{2.5}) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.⁴¹ In addition to PM_{2.5}, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily

⁴⁰ In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

⁴¹ San Francisco Department of Public Health, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

based on evidence demonstrating cancer effects in humans.⁴² The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to conduct a citywide health risk assessment based on an inventory and assessment of air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone" (APEZ) were identified based on health-protective criteria that consider estimated cancer risk, exposure to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. The project site is located within an APEZ. Each of the APEZ criteria is discussed below.

Excess Cancer Risk. The above 100 per one million persons (100 excess cancer risk) criterion is based on United States Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.⁴³ As described by the BAAQMD, the USEPA considers a cancer risk of 100 per one million to be within the "acceptable" range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,⁴⁴ the USEPA states that it "... strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible by limiting the individual lifetime risk level to no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years." The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.⁴⁵

Fine Particulate Matter. In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, "Particulate Matter Policy Assessment." In this document, USEPA staff concludes that the then-current federal annual PM_{2.5} standard of 15 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) should be revised to a level within the range of 13 to 11 $\mu\text{g}/\text{m}^3$, with evidence strongly supporting a standard within the range of 12 to 11 $\mu\text{g}/\text{m}^3$. The APEZ for San Francisco is based on the health protective PM_{2.5} standard of 11 $\mu\text{g}/\text{m}^3$, as supported by the USEPA's Particulate Matter Policy Assessment, although lowered to 10 $\mu\text{g}/\text{m}^3$ to account for uncertainty in accurately predicting air pollutant concentrations using emissions modeling programs.

⁴² California Air Resources Board (ARB), Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines," October 1998.

⁴³ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, p. 67.

⁴⁴ 54 Federal Register 38044, September 14, 1989.

⁴⁵ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, p. 67.

Proximity to Freeways. According to the California ARB, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in close proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,⁴⁶ lots that are within 500 feet of freeways are included in the APEZ.

Health Vulnerable Locations. Based on the BAAQMD's evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94105, 94124, and 94130) in the worst quintile of Bay Area Health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying lots in the APEZ to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) PM_{2.5} concentrations in excess of 9 µg/m³.⁴⁷

The above citywide health risk modeling was also used as the basis in approving a series of amendments to the San Francisco Building and Health Codes (Ordinance No. 224-14, effective December 7, 2014), generally referred to as Health Code Article 38: Enhanced Ventilation Required for Urban Infill Sensitive Use Developments (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an APEZ and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the APEZ. In addition, projects within the APEZ require special consideration to determine whether the project's activities would add a substantial amount of emissions to areas already adversely affected by poor air quality.

Construction Air Quality Impacts

Project-related air quality impacts fall into two categories: short-term impacts from construction and long-term impacts from project operation. The following addresses construction-related air quality impacts resulting from the proposed project.

Impact AQ-1: The proposed project's construction activities would generate fugitive dust and criteria air pollutants but would not violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)

Construction activities (short-term) typically result in emissions of ozone precursors and PM in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and PM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROGs are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. The proposed project consists of the demolition of the

⁴⁶ California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, April 2005. Available online at: <http://www.arb.ca.gov/ch/landuse.htm>, accessed August 7, 2015.

⁴⁷ San Francisco Planning Department and San Francisco Department of Public Health, *2014 Air Pollutant Exposure Zone Map (Memo and Map)*, April 9, 2014. These documents are part of San Francisco Board of Supervisors File No. 14806, Ordinance No. 224-14, Amendment to Health Code Article 38.

two existing on-site buildings and the construction of a four-story building containing 17 dwelling units, approximately 5,070 gsf of commercial space, and 17 parking spaces. During the project's approximately 16- to 18-month construction period, construction activities would have the potential to result in emissions of ozone precursors and PM, as discussed below.

Fugitive Dust

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the California ARB, reducing PM_{2.5} concentrations to state and federal standards of 12 µg/m³ in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.⁴⁸

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust that adds particulate matter to the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred to as the Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and avoid orders to stop work by the Department of Building Inspection (DBI).

The Construction Dust Control Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from the DBI. The Director of the DBI may waive this requirement for activities on sites less than one-half-acre that are unlikely to result in any visible wind-blown dust.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director of the DBI. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming

⁴⁸ ARB, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, Table 4c, October 24, 2008.

airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10-mil (0.01-inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques. San Francisco Public Works Code Article 21 (Ordinance No. 175-91) restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission (SFPUC). Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

The proposed project site is less than one-half acre in size, so submittal of a Dust Control Plan is not required; however, implementation of dust control measures pursuant to the Construction Dust Control Ordinance is required. Compliance with the regulations and procedures set forth in the Construction Dust Control Ordinance would ensure that potential air quality impacts related to construction dust would be less than significant.

Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown in Table 1, above, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), developed screening criteria. If a proposed project does not exceed the screening criteria, then construction of the project would result in less-than-significant criteria air pollutant impacts. A proposed project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The *CEQA Air Quality Guidelines* note that the screening levels are generally representative of new development on greenfield sites⁴⁹ without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

The proposed project consists of the demolition of the two existing on-site buildings and the construction of a four-story building containing 17 dwelling units, approximately 5,070 gsf of commercial space, and 17 parking spaces. The proposed project is below the construction screening criterion for the “apartment, mid-rise, 240 dwelling units” land use type identified in the BAAQMD’s *CEQA Air Quality Guidelines*. Thus, quantification of construction-related criteria

⁴⁹ A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

air pollutant emissions is not required, and the proposed project's construction activities would result in a less-than-significant criteria air pollutant impact.

Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, which would expose sensitive receptors to substantial pollutant concentrations. (Less than Significant with Mitigation)

As discussed above, the project site is located within an APEZ. The proposed project consists of constructing a four-story building containing residential uses, which are considered sensitive land uses for the purpose of air quality evaluation. Existing sensitive land uses in the project vicinity include residential uses adjacent to and south of the project site, residential uses to the west on the project block, and residential uses on the northeast corner of Bay and Powell streets.

Regarding construction emissions, off-road equipment (which includes construction-related equipment) is a large contributor to DPM emissions in California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.⁵⁰ Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth-largest source of DPM emissions in California.⁵¹ For example, revised total particulate matter emissions estimates for the year 2010, of which DPM is a major component, have decreased by 83 percent from previous 2010 emissions estimates for the SFBAAB.⁵² Approximately half of the reduction in emissions can be attributed to the economic recession and half to updated methodologies used to better assess construction emissions.⁵³

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000, and Tier 4 Interim and Final emission standards for all new engines would be phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emissions-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 standards, NO_x and particulate matter emissions will be reduced by more than 90 percent.⁵⁴

⁵⁰ ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, p. 1 and p. 13 (Figure 4), October 2010.

⁵¹ ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

⁵² ARB, "In-Use Off-Road Equipment, 2011 Inventory Model," Query accessed online, April 2, 2012, http://www.arb.ca.gov/msei/categories.htm#inuse_or_category.

⁵³ ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

⁵⁴ USEPA, "Clean Air Nonroad Diesel Rule: Fact Sheet," May 2004.

In addition, construction activities do not lend themselves to analysis of long-term health risks because of their temporary and variable nature. As explained in the BAAQMD's *CEQA Air Quality Guidelines*:

"Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk."⁵⁵

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within the APEZ, as discussed above, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

The proposed project would require construction activities for the approximately 16- to 18-month construction period. Project construction activities would result in short-term emissions of DPM and other TACs. The project site is located in an area that already experiences poor air quality, and project construction activities would generate additional air pollution, affecting nearby sensitive receptors and resulting in a significant impact. Implementation of Mitigation Measure M-AQ-2: Construction Air Quality, would reduce the magnitude of this impact to a less-than-significant level. While emissions reductions from limiting idling, educating workers and the public, and properly maintaining equipment are difficult to quantify, other measures, specifically the requirement for equipment with Tier 2 engines and Level 3 Verified Diesel Emission Control Strategy (VDECS), can reduce construction emissions by 89 to 94 percent compared to equipment with engines meeting no emission standards and without a VDECS.⁵⁶ Emissions reductions from the combination of Tier 2 equipment with Level 3 VDECS is almost

⁵⁵ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, p. 8-6.

⁵⁶ PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and Tier 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, compared to off-road equipment with Tier 1 or Tier 0 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

equivalent to requiring only equipment with Tier 4 Final engines, which is not yet available for engine sizes subject to the mitigation. Therefore, compliance with Mitigation Measure M-AQ-2 would reduce construction emissions impacts on nearby sensitive receptors to a less-than-significant level.

Mitigation Measure M-AQ-2: Construction Air Quality

The project sponsor or the project sponsor's Contractor shall comply with the following:

A. Engine Requirements.

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. Waivers.

1. The Planning Department's Environmental Review Officer (ERO) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for on-site power generation meets the requirements of Subsection (A)(1).
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there

is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.

Table – Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3. Alternative fuels are not a VDECS.

C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.
2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that

the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

D. *Monitoring.* After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

Operational Air Quality Impacts

Land use projects typically result in emissions of criteria air pollutants and TACs primarily from an increase in motor vehicle trips. However, land use projects may also result in emissions of criteria air pollutants and TACs from combustion of natural gas, landscape maintenance, use of consumer products, and architectural coating. The following discussion addresses air quality impacts resulting from operation of the proposed project.

Impact AQ-3: During project operations, the proposed project would result in emissions of criteria air pollutants, but not at levels that would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (*Less than Significant*)

As discussed under Impact AQ-1, the BAAQMD, in its *CEQA Air Quality Guidelines*, has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants. If none of the screening criteria are exceeded by a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment.

The proposed project, which consists of the demolition of the two existing on-site buildings and the construction of a four-story building containing 17 dwelling units, approximately 5,070 gsf of commercial space, and 17 parking spaces, would generate 213 daily vehicle trips. The proposed project is below the operational screening criterion for the "apartment, mid-rise, 494 dwelling units" land use type identified in the BAAQMD's *CEQA Air Quality Guidelines*. Thus, the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and quantification of the proposed project's operational criteria air pollutant emissions is not required. For these reasons, the proposed project's operation would result in a less-than-significant impact related to criteria air pollutants.

Impact AQ-4: The proposed project would generate toxic air contaminants, including diesel particulate matter, exposing sensitive receptors to substantial air pollutant concentrations. (*Less than Significant*)

As discussed above, the project site is located within an APEZ. The proposed project consists of constructing a four-story building containing residential uses, which are considered sensitive land uses for the purpose of air quality evaluation. Existing sensitive land uses in the project vicinity include residential uses adjacent to and south of the project site, residential uses to the west on the project block, and residential uses on the northeast corner of Bay and Powell streets.

Sources of Toxic Air Contaminants

Vehicle Trips. Individual projects result in emissions of TACs primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with fewer than 10,000 vehicles per day "minor, low-impact" sources that do not pose a significant health impact even in combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project's 213 daily vehicle trips would be well below this level and would be distributed among the local roadway network. Therefore an assessment of project-generated TACs resulting from vehicle trips is not required, and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

Siting Sensitive Land Uses. The proposed project consists of constructing a four-story building containing residential uses, which are considered sensitive land uses for the purpose of air quality evaluation. For sensitive-use projects within the APEZ as defined by Article 38, such as the proposed project, Article 38 requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. The DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal.

In compliance with Article 38, the project sponsor has submitted an initial application to the DPH.³⁷ The regulations and procedures set forth in Article 38 would ensure that exposure to sensitive receptors would not be significant. Therefore, air quality impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

Impact AQ-5: The proposed project would not conflict with, or obstruct implementation of, the 2010 Clean Air Plan. (Less than Significant)

The most recently adopted air quality plan for the SFBAAB is the *2010 Clean Air Plan* (CAP), which is a road map that demonstrates how the San Francisco Bay Area will achieve compliance with the state ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. In determining consistency with the CAP, this analysis considers whether the project would: (1) support the primary goals of the CAP, (2) include applicable control measures from the CAP, and (3) avoid disrupting or hindering implementation of control measures identified in the CAP.

The primary goals of the CAP are to: (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard the public health by reducing exposure to air pollutants that pose the

³⁷ *Application for Article 38 Compliance Assessment, 2293-2299 Powell Street/309-311 Bay Street, submitted July 20, 2015.*

greatest health risk, and (3) reduce greenhouse gas emissions. To meet the primary goals, the CAP recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The CAP recognizes that, to a great extent, community design dictates individual travel mode and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand and people have a range of viable transportation options. To this end, the CAP includes 55 control measures aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project's impact related to greenhouse gas emissions are discussed under Section E.7, Greenhouse Gas Emissions, which demonstrates that the proposed project would comply with the applicable provisions of the City's Greenhouse Gas Reduction Strategy.

The availability of viable transportation options and the provision of bicycle parking facilities as part of the proposed project ensure that residents could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These factors ensure that the proposed project would not contribute to substantial growth in automobile trips and vehicle miles traveled. The proposed project's anticipated 213 daily vehicle trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project would be generally consistent with the *San Francisco General Plan (General Plan)*, as discussed in Section C, Compatibility with Existing Zoning and Plans. Transportation control measures that are identified in the CAP are implemented by the *General Plan* and the Planning Code, for example, through the City's Transit First Policy, bicycle parking requirements, and transit impact development fees. Compliance with these requirements would ensure that the proposed project includes relevant transportation control measures specified in the CAP to the meet the CAP's primary goals.

Examples of projects that could cause the disruption or delay of CAP control measures are projects that would preclude the extension of a transit line or bike path or projects that propose excessive amounts of parking above minimum parking requirements. The proposed project would add 17 dwelling units, approximately 5,070 gsf of commercial space, and 17 parking spaces to a dense, walkable urban area near a concentration of regional and local transit service. It would not preclude the extension of a transit line or a bike path or any other transit improvement and thus would not disrupt or hinder implementation of control measures identified in the CAP.

For the reasons described above, the proposed project would not interfere with implementation of the CAP. Because the proposed project would be consistent with the applicable air quality plan that demonstrates how the region will improve ambient air quality and achieve the state and federal ambient air quality standards, this impact would be less than significant.

Impact AQ-6: The proposed project would not create objectionable odors that would affect a substantial number of people. (*Less than Significant*)

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by sources of odors.⁵⁸ Additionally, the proposed project includes residential, commercial, and parking uses that would not create significant sources of new odors. Therefore, odor impacts would be less than significant.

Impact C-AQ-1: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would contribute to cumulative air quality impacts. (*Less than Significant*)

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.⁵⁹ The project-level thresholds for criteria air pollutants are based on levels below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction and operational emissions (Impacts AQ-1 and AQ-3, respectively) would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

As discussed above, the project site is located in an area that already experiences poor air quality. The proposed project would introduce new sensitive receptors in the form of residential uses and new sources of TACs in the form of vehicle trips within an area already adversely affected by air quality, resulting in a considerable contribution to cumulative health risk impacts on nearby sensitive receptors. This would be a significant cumulative impact. The proposed project would be required to implement Mitigation Measure M-AQ-2: Construction Air Quality, which could reduce construction period emissions by as much as 94 percent. Furthermore, compliance with Article 38 would ensure that new sensitive receptors are not exposed to cumulatively significant levels of air pollution. Implementation of Mitigation Measure M-AQ-2 and compliance with Article 38 would reduce the proposed project's contribution to cumulative air quality impacts to a less-than-significant level.

⁵⁸ Field observation on August 21, 2015.

⁵⁹ BAAQMD, *CEQA Air Quality Guidelines*, May 2011, p. 2-1.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
7. GREENHOUSE GAS EMISSIONS—Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Greenhouse gas (GHG) emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will contribute to global climate change and its associated environmental impacts.

The Bay Area Air Quality Management District (BAAQMD) has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project's GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of GHGs and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions* (GHG Reduction Strategy),⁶⁰ which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with the CEQA Guidelines. The actions outlined in the strategy have resulted in a 14.5 percent reduction in GHG emissions in 2010 compared to 1990 levels, exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*, Executive Order S-3-05 (EO S-3-05),⁶¹ and Assembly Bill 32 (AB 32), also known as the Global Warming Solutions Act.^{62, 63}

Given that the City's local GHG reduction targets are more aggressive than the State's and the Region's 2020 GHG reduction targets, and are consistent with the long-term 2050 reduction

⁶⁰ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: <http://www.sf-planning.org/index.aspx?page=2627>.

⁶¹ Executive Order S-3-05, sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO₂E); by 2020, reduce emissions to 1990 levels (estimated at 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E).

⁶² San Francisco Department of Environment (DOE), *San Francisco Climate Action Strategy, 2013 Update*.

⁶³ The *Clean Air Plan*, Executive Order S-3-05, and Assembly Bill 32 goals, among others, are to reduce GHGs in the year 2020 to 1990 levels.

targets, the City's Greenhouse Gas Reduction Strategy is consistent with the goals of EO S-3-05, AB 32, and the BAAQMD's 2010 *Clean Air Plan*. Therefore, proposed projects that are consistent with the City's Greenhouse Gas Reduction Strategy would be consistent with the goals of EO S-3-05, AB 32, and the BAAQMD's 2010 *Clean Air Plan*, would not conflict with these plans, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

The following analysis of the proposed project's impact on climate change focuses on the project's contribution to cumulatively significant GHG emissions. Given the analysis is in a cumulative context, this section does not include an individual project-specific impact statement.

Impact C-GG-1: The proposed project would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with waste removal, disposal, and landfill operations.

The proposed project would increase the activity onsite through the demolition of two vacant commercial buildings and the construction of a four-story, 39-foot-tall building containing 17 dwelling units and 17 parking spaces. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to and required to comply with several regulations adopted to reduce GHG emissions as identified in the GHG Reduction Strategy. The regulations that are applicable to the proposed project include bicycle parking requirements, street tree planting requirements for new construction, the Stormwater Management Ordinance, the Mandatory Recycling and Composting Ordinance, and San Francisco Green Building Requirements related to energy efficiency and water use reduction.

These regulations, as outlined in San Francisco's GHG Reduction Strategy, have proven effective as San Francisco's GHG emissions have been measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the BAAQMD's 2010 *Clean Air Plan* GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.⁶⁴ Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would

⁶⁴ San Francisco Planning Department, *Greenhouse Gas Compliance Checklist*, 2293-2299 Powell Street/309-311 Bay Street, July 31, 2015.

not conflict with state, regional, and local GHG reduction plans and regulations, and the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. For these reasons, the proposed project would result in a less-than-significant impact related to GHG emissions.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
8. WIND AND SHADOW—Would the project:					
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact WS-1: The proposed project would not alter wind in a manner that substantially affects public areas. (Less than Significant)

A proposed project's wind impacts are directly related to its height, orientation, design, location, and surrounding development context. Based on wind analyses for other development projects in San Francisco, a building that does not exceed a height of 85 feet generally has little potential to cause substantial changes to ground-level wind conditions. At a height of 39 feet, the proposed project would be about the same height as existing adjacent or nearby buildings. The proposed project's long axis is aligned along the prevailing wind directions instead of across the prevailing wind directions (i.e., the proposed project's Powell Street façade would allow overhead winds to continue flowing eastward instead of intercepting them and driving them down toward the sidewalk). Given its height, orientation, design, location, and surrounding development context, the proposed 39-foot-tall building (plus eight-foot-tall elevator and mechanical penthouses) has little potential to cause substantial changes to ground-level wind conditions adjacent to and near the project site. For these reasons, the proposed project would not alter wind in a manner that substantially affects public areas. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-WS-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative wind impact. (Less than Significant)

As discussed above, buildings shorter than 85 feet have little potential to cause substantial changes to ground-level wind conditions. Given that the height limit in the project vicinity is 40 feet, none of the nearby cumulative development projects would be tall enough to alter wind in a manner that substantially affects public areas. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative wind impact.

Impact WS-2: The proposed project would not create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas. (Less than Significant)

In 1984, San Francisco voters approved an initiative known as “Proposition K, The Sunlight Ordinance,” which was codified as Planning Code Section 295 in 1985. Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Public open spaces that are not under the jurisdiction of the Recreation and Park Commission as well as private open spaces are not subject to Planning Code Section 295.

Implementation of the proposed project would result in the construction of a 39-foot-tall building (plus eight-foot-tall elevator and mechanical penthouses). The Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks or open spaces. The shadow fan analysis prepared by the Planning Department determined that the project as proposed would not cast shadow on any nearby parks or open spaces.⁶⁵

The proposed project would also shade portions of streets, sidewalks, and private properties in the project vicinity at various times of the day throughout the year. Shadows on streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby properties may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

For these reasons, the proposed project would not create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-WS-2: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative shadow impact. (Less than Significant)

As discussed above, the proposed project would not shadow any nearby parks or open spaces. Therefore, the proposed project would not contribute to any potential cumulative shadow impact on parks and open spaces.

The sidewalks in the project vicinity are already shadowed for much of the day by densely developed, multi-story buildings. Although implementation of the proposed project and nearby cumulative development projects would add net new shadow to the sidewalks in the project vicinity, these shadows would be transitory in nature, would not substantially affect the use of

⁶⁵ San Francisco Planning Department, *Shadow Fan Analysis for 2293-2299 Powell Street/309-311 Bay Street*, June 19, 2015.

the sidewalks, and would not increase shadows above levels that are common and generally expected in a densely developed urban environment.

For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative shadow impact.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
9. RECREATION—Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact RE-1: The proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. (*Less than Significant*)

The neighborhood parks or other recreational facilities closest to the project site are Joe DiMaggio Playground and the North Beach Pool (0.2 mile south of the project site), Washington Square Park (0.3 mile southeast), Joseph Conrad Mini-Park (0.4 mile northwest), and Fay Park/Thomas Church Garden (0.4 mile southwest).

The proposed project would increase the population of the project site by about 39 residents. This total represents an increase of about 1.04 percent over the 2010 population within Census Tract 101 and about 0.28 percent over the 2010 population within the project vicinity (census tracts within a quarter-mile of the project site). This residential population growth, as well as the addition of 15 on site employees, would increase the demand for recreational facilities. The proposed project would partially offset the demand for recreational facilities by providing approximately 1,615 sf of on-site open space. Although the project residents and on-site employees may use parks, open spaces, and other recreational facilities in the project vicinity, the additional use of these recreational facilities is expected to be modest based on the size of the projected population increase.

On a citywide/regional basis, the increased demand on recreational facilities from 39 residents and 15 employees would be negligible considering the number of people living and working in

San Francisco and the region as well as the number of existing and planned recreational facilities. For these reasons, implementation of the proposed project would not increase the use of existing recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. This impact would be less than significant, and no mitigation measures are necessary.

Impact RE-2: The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. (*Less than Significant*)

The proposed project would provide some on-site open space for the project residents in the form of private and common roof decks at the second floor. This open space would partially offset the demand for recreational facilities. In addition, the project site is within walking distance to a number of parks, open spaces, or other recreational facilities, as discussed above. It is anticipated that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by the project residents. For these reasons, the construction of new or the expansion of existing recreational facilities, both of which might have an adverse physical effect on the environment, would not be required. This impact would be less than significant, and no mitigation measures are necessary.

Impact RE-3: The proposed project would not physically degrade existing recreational resources. (*Less than Significant*)

The proposed project would not result in the physical alteration or degradation of any recreational resources in the project vicinity or the City as a whole. Project-related construction activities would occur within the boundaries of the project site, which does not include any existing recreational resources. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-RE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on recreational facilities or resources. (*Less than Significant*)

Cumulative development in the project vicinity would result in an intensification of land uses and a cumulative increase in the demand for recreational facilities and resources. The City has accounted for such growth as part of the Recreation and Open Space Element of the *General Plan*.⁶⁶ In addition, San Francisco voters passed two bond measures, in 2008 and 2012, to fund the acquisition, planning, and renovation of the City's network of recreational resources. As discussed above, there are four parks, open spaces, or other recreational facilities within 0.4 mile of the project site. It is expected that these existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by nearby cumulative development projects. For these reasons, the proposed project would not combine with past,

⁶⁶ San Francisco Planning Department, *San Francisco General Plan*, Recreation and Open Space Element, April 2014, pp. 20-36. Available online at <http://www.sfgov.net/2014/04/23/san-francisco-general-plan-recreation-and-open-space-element/>, accessed June 24, 2015.

present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on recreational facilities or resources.

<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
10. UTILITIES AND SERVICE SYSTEMS—Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact UT-1: Implementation of the proposed project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, would not exceed the capacity of the wastewater treatment provider that would serve the project, and would not require the construction of new or expansion of existing wastewater treatment or stormwater drainage facilities. (Less than Significant)

Project-related wastewater and stormwater would flow to the City's combined stormwater/sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. The NPDES standards are set and regulated by the

San Francisco Bay Area Regional Water Quality Control Board (RWQCB). Therefore, the proposed project would not conflict with RWQCB requirements.

Implementation of the proposed project would incrementally increase wastewater flows from the project site due to the introduction of about 39 residents and 15 employees. The proposed project would incorporate water-efficient fixtures, as required by Title 24 of the California Code of Regulations and the San Francisco Green Building Ordinance. Compliance with these regulations would reduce wastewater flows and the amount of potable water used for building functions. The San Francisco Public Utilities Commission's (SFPUC's) infrastructure capacity plans account for projected population and employment growth. The incorporation of water-efficient fixtures into new development is also accounted for by the SFPUC, because widespread adoption can lead to more efficient use of existing capacity. For these reasons, the population increase associated with the proposed project would not require the construction of new or expansion of existing wastewater treatment facilities.

The project site has been developed since the early 1900s, and the proposed building footprint would cover the entire project site. Implementation of the proposed project would not result in an increase in impervious surfaces. The City's Stormwater Management Ordinance (Ordinance No. 83-10, effective May 22, 2010) requires the proposed project to maintain, reduce, or eliminate the existing volume and rate of stormwater runoff discharged from the project site. To achieve this objective, the proposed project would implement and install appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit (or eliminate altogether) site discharges from entering the City's combined stormwater/sewer system. This, in turn, would limit the incremental demand on both the collection system and wastewater facilities resulting from stormwater discharges and would minimize the potential for constructing new or expanding existing stormwater drainage facilities.

For these reasons, the proposed project would not substantially increase the demand for wastewater or stormwater treatment. This impact would be less than significant, and no mitigation measures are necessary.

Impact UT-2: The SFPUC has sufficient water supply available to serve the proposed project from existing entitlements and resources and would not require new or expanded water supply resources or entitlements. (Less than Significant)

Implementation of the proposed project, which consists of 17 dwelling units and approximately 5,070 gsf of commercial space, would add approximately 39 residents and 15 employees to the site and incrementally increase the demand for water in San Francisco. However, the proposed project would not result in a population increase and corresponding water demand beyond that assumed for planning purposes by the SFPUC's *2010 Urban Water Management Plan* (2010 UWMP).⁶⁷

⁶⁷ San Francisco Public Utilities Commission, *2010 Urban Water Management Plan for the City and County of San Francisco*, June 2011.

All large-scale projects in California subject to CEQA are required to obtain an assessment from a regional or local jurisdiction water agency to determine the availability of a long-term water supply sufficient to satisfy project-generated water demand under Senate Bill 610 and Senate Bill 221.45. Under Senate Bill 610, a water assessment is required if a proposed project is subject to CEQA in an Environmental Impact Report or Negative Declaration and falls within any of the following categories: (1) a residential development of more than 500 dwelling units; (2) a shopping center or business employing more than 1,000 persons or having more than 500,000 sf of floor space; (3) a commercial office building employing more than 1,000 persons or having more than 250,000 sf of floor space; (4) a hotel or motel with more than 500 rooms; (5) an industrial or manufacturing establishment housing more than 1,000 persons or having more than 650,000 sf or 40 acres; (6) a mixed-use project containing any of the foregoing; or (7) any other project that would have water demand at least equal to a 500-dwelling-unit project. The proposed project would not exceed any of these thresholds and, therefore, is not required to prepare a water assessment.

In June 2011, the SFPUC adopted a resolution finding that the 2010 UWMP adequately fulfills the requirements of the water assessment for urban water suppliers. The 2010 UWMP uses year 2035 growth projections prepared by the Planning Department and the Association of Bay Area Governments to estimate future water demand. The proposed project is within the demand projections of the 2010 UWMP and would not exceed the water supply projections.

Although the total amount of water demand would increase at the project site, the proposed building would be designed to incorporate water-efficient fixtures as required by Title 24 of the California Code of Regulations and the City's Green Building Ordinance. Because the proposed water demand could be accommodated by existing and planned water supply anticipated under the 2010 UWMP, the proposed project would not result in a substantial increase in water use and would be served from existing water supply entitlements and resources. In addition, the proposed project would include water conservation devices such as low-flow showerheads and low-flush toilets. For these reasons, there would be sufficient water supply available to serve the proposed project from existing water supply entitlements and resources, and new or expanded resources or entitlements would not be required. This impact would be less than significant, and no mitigation measures are necessary.

Impact UT-3: The proposed project would be served by a landfill with sufficient permitted capacity and would comply with federal, state, and local statutes and regulations related to solid waste. (Less than Significant)

In 1988, the City and County of San Francisco contracted for the disposal of 15 million tons of solid waste at the Altamont Landfill in Alameda County. As of March 2013, San Francisco's remaining capacity at the landfill was approximately 1 million tons out of the original capacity of 15 million tons specified under the existing contract.⁶⁸ At current disposal rates, San Francisco's available landfill space under the existing contract will run out in 2016. As of August 2005 (the

⁶⁸ San Francisco Department of the Environment, *Zero Waste FAQ*. Available online at http://www.environment.org/zero_waste/overview/zero-waste-faq, accessed August 3, 2015.

latest available record), the Altamont Landfill has a remaining overall capacity of 74 percent and a scheduled closure date of January 1, 2025.⁶⁹

Reports filed by the San Francisco Department of the Environment show that the City generated approximately 628,900 tons of solid waste in 2007; by 2013, that figure decreased to approximately 454,200 tons.⁷⁰ Solid waste diverted from landfills is defined as recycled or composted material. San Francisco had a goal of 75 percent solid waste diversion by 2010 and has a goal of 100 percent solid waste diversion by 2020. San Francisco currently diverts 80 percent of its solid waste from landfills.⁷¹ Based on the City's solid waste diversion rate and the Altamont Landfill's remaining capacity, the proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. This impact would be less than significant, and no mitigation measures are necessary.

The California Integrated Waste Management Act of 1989 (Assembly Bill 939) requires municipalities to adopt an Integrated Waste management Plan to establish objectives, policies, and programs related to waste disposal, management, source reduction, and recycling. The Construction and Demolition Debris Recovery Ordinance (Ordinance No. 27-06, effective March 18, 2006) requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. The Mandatory Recycling and Composting Ordinance (Ordinance No. 100-09, effective July 23, 2009) requires everyone in San Francisco to separate their solid waste into recyclables, compostables, and trash. The proposed project would be subject to and would comply with these ordinances and all other applicable statutes and regulations related to solid waste. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-UT-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on utilities and service systems. (Less than Significant)

Cumulative development in the project vicinity would result in an intensification of land uses, a cumulative increase in water consumption, and a cumulative increase in wastewater and solid waste generation. The SFPUC has accounted for such growth in its water demand and wastewater service projections, and the City has implemented various programs to divert 80 percent of its solid waste from landfills. For these reasons, the proposed project would not

⁶⁹ California Department of Recycling and Recovery, *Facility/Site Summary Details: Altamont Landfill and Resource Recovery (01-AA-0009)*. Available online at <http://www.calrecycle.ca.gov/SWFacilities/Directory/01-AA-0009/Detail/>, accessed August 3, 2015.

⁷⁰ California Department of Resources Recycling and Recovery, *Jurisdiction Disposal Tonnage Trend: San Francisco*. Available online at <http://www.calrecycle.ca.gov/LGCentral/Reports/Jurisdiction/ReviewReports.aspx>, accessed August 3, 2015.

⁷¹ San Francisco Department of the Environment, "San Francisco Sets North American Record for Recycling and Composting with 80 Percent Diversion Rate." Available online at <http://www.sfeenvironment.org/news/update/san-francisco-sets-north-american-record-for-recycling-composting-with-80-percent-diversion-rate>, accessed August 3, 2015.

combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on utilities and service systems.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
11. PUBLIC SERVICES—Would the project: a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project's impacts on parks are discussed under Section E.9, Recreation. Impacts on other public services are discussed below.

Impact PS-1: The proposed project would increase demand for fire protection and police protection, but not to the extent that would require new or physically altered fire or police facilities, the construction of which could result in significant environmental impacts. (Less than Significant)

The project site receives fire protection and emergency medical services from the San Francisco Fire Department's Battalion 3, which includes Fire Station No. 28 at 1814 Stockton Street, approximately 0.4 mile southeast of the project site.⁷² The project site receives police protection services from the San Francisco Police Department's Central Station at 766 Vallejo Street, approximately 0.8 mile south of the project site.⁷³ Implementation of the proposed project would add about 39 residents and 15 employees on the project site, which would increase the demand for fire protection, emergency medical, and police protection services. This increase in demand would not be substantial given the overall demand for such services on a citywide basis. Fire protection, emergency medical, and police protection resources are regularly redeployed based on need in order to maintain acceptable service ratios. Moreover, the proximity of the project site to Fire Station No. 28 and Central Station would help minimize Fire Department and Police Department response times should incidents occur at the project site. For these reasons, implementation of the proposed project would not require the construction of new or alteration of existing fire and police facilities. This impact would be less than significant, and no mitigation measures are necessary.

⁷² San Francisco Fire Department website, <http://www.sf-fire.org/index.aspx?page=176#divisions>, accessed June 19, 2015.

⁷³ San Francisco Police Department website, <http://sanfranciscopolice.org/index.aspx?page=796>, accessed June 19, 2015.

Impact PS-2: The proposed project could increase the population of school-aged children and the demand for school services, but not to the extent that would require new or physically altered school facilities, the construction of which could result in significant environmental impacts. (Less than Significant)

Implementation of the proposed project would result in the construction of 17 dwelling units and an anticipated population increase of about 39 residents. Some of the new residents of the 17 households could consist of families with school-aged children who might attend schools operated by the San Francisco Unified School District (SFUSD), while others might attend private schools. It is anticipated that existing SFUSD schools in the project vicinity would be able to accommodate this minor increase in demand. Furthermore, the proposed project would be required to pay a school impact fee based on the construction of net new residential square footage to fund SFUSD facilities and operations. For these reasons, implementation of the proposed project would not result in a substantial unmet demand for school facilities and would not require the construction of new or alteration of existing school facilities. This impact would be less than significant, and no mitigation measures are necessary.

Impact PS-3: The proposed project would increase demand for other public services, but not to the extent that would require new or physically altered governmental facilities, the construction of which could result in significant environmental impacts. (Less than Significant)

Implementation of the proposed project would add about 39 residents and 15 employees on the project site, which would increase the demand for other public services such as libraries. This increase in demand would not be substantial given the overall demand for library services on a citywide basis. The San Francisco Public Library operates 27 branches throughout San Francisco,⁷⁴ and it is anticipated that the North Beach Branch, which is 0.2 mile south of the project site, would be able to accommodate the minor increase in demand for library services generated by the proposed project. For these reasons, implementation of the proposed project would not require the construction of new or alteration of existing governmental facilities. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-PS-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on public services. (Less than Significant)

Cumulative development in the project vicinity would result in an intensification of land uses and a cumulative increase in the demand for fire protection, police protection, school services, and other public services. The Fire Department, the Police Department, the SFUSD, and other City agencies have accounted for such growth in providing public services to the residents of San Francisco. Nearby cumulative development projects would be subject to many of the same development impact fees applicable to the proposed project. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on public services.

⁷⁴ San Francisco Public Library website, <http://sfpl.org/pdf/libraries/sfpl421.pdf>, accessed June 19, 2015.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
12. BIOLOGICAL RESOURCES—Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact BI-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service and would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. (No Impact)

The project site is a previously developed lot in a built urban environment and does not include any candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California

Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Implementation of the proposed project would not modify any natural habitat and would have no impact on any candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community.

Impact BI-2: The proposed project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. (No Impact)

The project site does not include any federally protected wetlands, as defined by Section 404 of the Clean Water Act. Implementation of the proposed project would have no impact on wetlands.

Impact BI-3: The proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. (Less than Significant)

San Francisco is within the Pacific Flyway, a major north-south route of travel for migratory birds along the western portion of the Americas. Multi-story buildings are potential obstacles that can injure or kill birds in the event of a collision, and bird strikes are a leading cause of worldwide declines in bird populations. Planning Code Section 139, Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes. This ordinance focuses on location-specific hazards and building feature-related hazards. Location-specific hazards apply to buildings in, or within 300 feet of and having a direct line of sight to, an Urban Bird Refuge, which is defined as an open space "two acres and larger dominated by vegetation, including vegetated landscaping, forest, meadows, grassland, or wetlands, or open water." The project site is not in or within 300 feet of an Urban Bird Refuge, so the standards related to location-specific hazards are not applicable to the proposed project. Feature-related hazards, which can occur on buildings anywhere in San Francisco, are defined as freestanding glass walls, wind barriers, skywalks, balconies, and greenhouses on rooftops that have unbroken glazed segments of 24 sf or larger. The proposed project would comply with the feature-related standards of Planning Code Section 139 by using bird-safe glazing treatment on 100 percent of any feature-related hazards.

Although migratory birds pass through San Francisco, the project site does not include any vegetation that could provide habitat for migratory birds. Nesting birds, their nests, and their eggs are protected by the California Fish and Game Code (Sections 3503 and 3503.5) and the federal Migratory Bird Treaty Act, and the proposed project is subject to these regulations.

For these reasons, the proposed project would not interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. This impact would be less than significant, and no mitigation measures are necessary.

Impact BI-4: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (*No Impact*)

There are no existing trees or other vegetation on the project site that would need to be removed as part of the proposed project. Implementation of the proposed project would include the planting of street trees along Powell Street and/or Bay Street, in compliance with the provisions of the San Francisco Green Landscape Ordinance. The proposed project would not conflict with any local policies or ordinances that protect biological resources, and no impact would occur.

Impact BI-5: The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. (*Not Applicable*)

The project site is not within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, state, or regional habitat conservation plan. Therefore, significance criterion 12f is not applicable to the proposed project.

Impact C-BI-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to biological resources. (*Less than Significant*)

Cumulative development in the project vicinity would result in the construction of multi-story buildings that can injure or kill birds in the event of a collision and would result in the removal of existing street trees or other vegetation. Nearby cumulative development projects would be subject to the same bird-safe building and urban forestry ordinances applicable to the proposed project. Compliance with these ordinances would reduce the effects of nearby cumulative development projects to less-than-significant levels. Moreover, there are no candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community in the project vicinity. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on biological resources.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
---------	--------------------------------	--	------------------------------	-----------	----------------

**13. GEOLOGY AND SOILS—
Would the project:**

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact GE-1: The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides, and would not be located on unstable soil that could result in lateral spreading, subsidence, liquefaction, or collapse. (Less than Significant)

A geotechnical investigation was conducted to assess the geologic conditions underlying the project site and provide recommendations related to the proposed project's design and construction. The findings and recommendations, presented in a geotechnical report, are discussed below.⁷⁵

⁷⁵ H. Allen Gruen, *Geotechnical Investigation, Planned Development at 2293-2299-2299 Powell Street and 309-311 Bay Street, San Francisco, California* (hereinafter "Geotechnical Report"), May 26, 2014.

The geotechnical investigation included the drilling of one test boring on the project site to a depth of 31.5 feet below ground surface (bgs). The project site is underlain by an 18-foot-deep layer of fill consisting of sand with varying amounts of clay, rock fragments, gravel, brick, and glass. This layer of fill is underlain by sand and clay. Groundwater was encountered about nine feet bgs.

The San Francisco Bay Area is a seismically active region. The project site is not within an Alquist-Priolo Earthquake Fault Zone, and there are no known active faults that run underneath the project site or in the project vicinity. The closest active fault to the project site is the San Andreas Fault, which is about 8.5 miles to the southwest. Nonetheless, the project site is subject to strong seismic ground shaking. The project site is in a liquefaction zone, but it is not in a landslide zone.

The proposed project, which would be supported by a mat slab foundation, is required to comply with the seismic safety standards set forth in the San Francisco Building Code (Building Code). The Department of Building Inspection (DBI) is the City agency responsible for reviewing the proposed project's building permit application, structural drawings and calculations, and geotechnical report and ensuring that the proposed project complies with the seismic safety standards and other applicable requirements of the Building Code. Project compliance with the Building Code would ensure that the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides would be low. This impact would be less than significant, and no mitigation measures are necessary.

The project site is not located on unstable soil; the geotechnical report concludes that the potential for lateral spreading or liquefaction at the project site is low.⁷⁶ The geotechnical report includes recommendations related to site preparation and grading, seismic design, foundations, retaining walls, slab-on-grade floors, and site drainage. Implementation of these recommendations would ensure that the proposed project would not cause the soil underlying the project site to become unstable and result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. This impact would be less than significant, and no mitigation measures are necessary.

Impact GE-2: The proposed project would not result in substantial soil erosion or the loss of topsoil. (Less than Significant)

The project site has been developed since the early 1900s and is currently occupied by two buildings. For these reasons, construction of the proposed project would not result in the loss of topsoil. Site preparation and excavation activities would disturb soil to a depth of 12 feet bgs, creating the potential for windborne and waterborne soil erosion. Sloping terrain is more susceptible to soil erosion than flat terrain. Since the project site is flat, construction activities would not result in substantial soil erosion. In addition, the construction contractor would be required to implement best management practices to prevent erosion and discharge of sediment into construction site stormwater runoff (see Section E.14, Hydrology and Water Quality). This impact would be less than significant, and no mitigation measures are necessary.

⁷⁶ Geotechnical Report, pp. 5-6.

Impact GE-3: The proposed project could be located on expansive soil but would not create substantial risks to life or property. (Less than Significant)

San Francisco is within an area where less than 50 percent of the soil consists of clay with high swelling potential (i.e., expansive soils). Expansive soils shrink or swell substantially with changes in moisture content and generally contain a high percentage of clay particles. As discussed above, the project site is underlain by fill consisting of sand with varying amounts of clay, rock fragments, gravel, brick, and glass. This layer of fill is underlain by sand and clay. It is not known whether expansive soils, as defined in Table 18-1-B of the Uniform Building Code, underlie the project site. However, the DBI would analyze the potential for impacts related to expansive soils as part of its review of the proposed project's building permit application and geotechnical report. The proposed project would be required to comply with any recommendations made by the DBI to address potential impacts related to expansive soils. For these reasons, implementation of the proposed project would not create substantial risks to life or property. This impact would be less than significant, and no mitigation measures are necessary.

Impact GE-4: The proposed project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. (Not Applicable)

The proposed project would not use septic tanks or alternative wastewater disposal systems. Therefore, significance criterion 13e is not applicable to the proposed project.

Impact GE-5: The proposed project would not change substantially the topography or any unique geologic or physical features of the site and would not directly or indirectly destroy a unique paleontological resource or site. (No Impact)

The project site is flat, and implementation of the proposed project would not change the topography of the project site. The project site has been developed since the early 1900s, so there are no unique geologic or physical features on the project site that could be altered by implementation of the proposed project. In addition, there are no paleontological resources on the project site that could be destroyed by implementation of the proposed project. For these reasons, no impact would occur.

Impact C-GE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to geology and soils. (Less than Significant)

Environmental impacts related to geology and soils are generally site-specific. Nearby cumulative development projects would be subject to the same seismic safety standards and design review procedures applicable to the proposed project. Compliance with the seismic safety standards and the design review procedures would ensure that the effects from nearby cumulative development projects would be reduced to less-than-significant levels. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact related to geology and soils.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
14. HYDROLOGY AND WATER QUALITY—Would the project:					
a) Violate any water quality standards or waste discharge requirements?					
a)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact HY-1: The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality. (Less than Significant)

Project-related wastewater and stormwater would flow to the City's combined stormwater/sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. The NPDES standards are set and regulated by the San Francisco Bay Area Regional Water Quality Control Board (RWQCB). Therefore, the proposed project would not conflict with RWQCB requirements.

Construction of the proposed project would require excavation to a depth of 12 feet below ground surface and would likely require dewatering. Any groundwater encountered during construction of the proposed project and discharged into the combined stormwater/sewer system would be subject to the requirements of the San Francisco Sewer Use Ordinance (Ordinance No. 19-92, amended by Ordinance No. 116-97), as supplemented by Department of Public Works Order No. 158170. These regulations require a permit from the Wastewater Enterprise Collection System Division of the San Francisco Public Utilities Commission (SFPUC). A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system.

Construction activities such as excavation, earthmoving, and grading would expose soil and could result in erosion and excess sediments being carried in stormwater runoff to the combined stormwater/sewer system. In addition, stormwater runoff from temporary on-site use and storage of vehicles, fuels, waste, and other hazardous materials could carry pollutants to the combined stormwater/sewer system if proper handling methods are not employed. Runoff from the project site would drain into the City's combined stormwater/sewer system, ensuring that such runoff is properly treated at the Southeast Treatment Plant before being discharged into San Francisco Bay. In addition, the project sponsor would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) that would be reviewed, approved, and enforced by the SFPUC. The SWPPP would specify best management practices and erosion and sedimentation control measures to prevent sediment from entering the City's combined stormwater/sewer system.

For these reasons, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality. This impact would be less than significant, and no mitigation measures are necessary.

Impact HY-2: The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. (Less than Significant)

As discussed under Section E.13, Geology and Soils, groundwater is about nine feet below ground surface and would be encountered at the planned excavation depths; thus, dewatering

for the proposed project would be necessary during construction. Dewatering of excavated areas during construction could temporarily lower groundwater levels in the project vicinity. However, any effects of groundwater dewatering would be temporary, and, once dewatering is completed, groundwater levels would return to normal. Groundwater is not used for water supplies in the project vicinity. In addition, the proposed project would not rely on wells for its water supply; it would be connected to existing SFPUC infrastructure. For these reasons, the proposed project would not deplete groundwater supplies or substantially interfere with groundwater recharge. This impact would be less than significant, and no mitigation measures are necessary.

Impact HY-3: The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, would not substantially increase the rate or amount of surface runoff in a manner that would result in substantial erosion, siltation, or flooding on- or off-site, and would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (*Less than Significant*)

The project site, which has been developed since the early 1900s, is completely covered by impervious surfaces. Implementation of the proposed project would not alter drainage patterns in a manner that would result in substantial erosion, siltation, or flooding. Runoff from the project site would continue to drain into the City's combined stormwater/sewer system. Compliance with the City's Stormwater Management Ordinance would ensure that the proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. This impact would be less than significant, and no mitigation measures are necessary.

Impact HY-4: The proposed project would not place housing within a 100-year flood hazard area and would not place structures that would impede or redirect flood flows within a 100-year flood hazard area. (*Less than Significant*)

Flood risk assessment and some flood protection projects are conducted by federal agencies, including the Federal Emergency Management Agency (FEMA) and the U.S. Army Corps of Engineers. The flood management agencies and cities implement the National Flood Insurance Program (NFIP) under the jurisdiction of FEMA and its Flood Insurance Administration.

In September 2007, FEMA published Preliminary Flood Insurance Rate Maps (FIRMs) for the City and County of San Francisco.⁷⁷ FIRMs identify areas that are subject to inundation during a flood having a 1.0 percent chance of occurrence in a given year (also known as a "base flood" or "100-year flood"). FEMA refers to the floodplain that is at risk from a flood of this magnitude as a Special Flood Hazard Area (SFHA). FEMA has tentatively identified SFHAs along the City's shoreline in and along San Francisco Bay consisting of Zone A (areas subject to inundation by tidal surge) and Zone V (areas of coastal flooding subject to wave hazards).

⁷⁷ City and County of San Francisco, General Services Agency, Risk Management Program, *FEMA Preliminary Flood Insurance Rate Maps*, September 2007. Available online at <http://www.sfgsa.org/index.aspx?page=828>, accessed August 6, 2015.

On June 10, 2008, legislation was introduced at the San Francisco Board of Supervisors to enact a Floodplain Management Ordinance to govern new construction and substantial improvements in flood-prone areas of San Francisco and to authorize the City's participation in the NFIP upon passage of the ordinance. In July 2008, the Department of Public Works (DPW) prepared interim floodplain maps to support the implementation of the Floodplain Management Ordinance.⁷⁸ On August 5, 2008, the San Francisco Board of Supervisors adopted legislation to enact a Floodplain Management Ordinance. On March 23, 2010, the ordinance was amended to include additional construction standards and language regarding floodplain and flood-prone area maps.⁷⁹ The DPW will publish flood maps for the City to replace the interim floodplain maps. Applicable City departments and agencies have begun implementing new construction and substantial improvements in areas shown on the interim floodplain map.

The project site is not located within a flood zone designated on the City's interim floodplain map.⁸⁰ The proposed project would not place housing within a 100-year flood hazard area and would not place structures that would impede or redirect flood flows within a 100-year flood hazard area. The project site is within an area identified by the SFPUC as prone to flooding during storms when storm flows exceed the capacity of the combined sewer system.⁸¹ During the building permit review process, the SFPUC would require design features necessary to minimize the potential of a sewer backup during storm events and minimize the potential of street storm flow from entering the property. This impact would be less than significant, and no mitigation measures are necessary.

Impact HY-5: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, or involving inundation by seiche, tsunami, or mudflow. (Not Applicable)

There are no dams or levees near the project site. As shown on Map 6, Potential Inundation Areas Due to Reservoir Failure, in the Community Safety Element of the *General Plan*, the project site is not in an area that would be flooded in the event that an existing dam or levee fails.⁸² Therefore, significance criterion 14i is not applicable to the proposed project.

⁷⁸ City and County of San Francisco, General Services Agency, Risk Management Program, *San Francisco's Interim Floodplain Maps*, July 2008. Available online at <http://sfgsa.org/index.aspx?page=828>, accessed August 6, 2015.

⁷⁹ San Francisco Board of Supervisors, Ordinance No. 56-10, adopted March 23, 2010. Available online at <http://www.sfbos.org/ftp/uploadedfiles/bcdsupvrs/ordinances10/o0056-10.pdf>, accessed June 17, 2015.

⁸⁰ City and County of San Francisco, General Services Agency, Risk Management Program, *San Francisco's Interim Floodplain Map, Northeast, Final Draft*, July 2008. Available online at <http://www.sfgsa.org/Modules>ShowDocument.aspx?documentid=1785>, accessed August 6, 2015.

⁸¹ San Francisco Planning Department, *Planning Director Bulletin No. 4: Review of Projects in Areas Prone to Flooding*, April 2007. Available online at http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf, accessed June 17, 2015.

⁸² San Francisco Planning Department, *San Francisco General Plan, Community Safety Element*, p. 17. Available online at http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf, accessed June 17, 2015.

A seiche is a periodic oscillation (rise and fall) of the surface of an enclosed or semi-enclosed body of water that can be caused by atmospheric or seismic disturbances. Tidal records for San Francisco Bay show that the 1906 earthquake caused a seiche of approximately four inches. A temporary four-inch rise in the water level of San Francisco Bay would not reach the project site, which is 0.25 mile south of the shoreline. For these reasons, the proposed project would not be at risk of inundation by seiche. As shown on Map 5, Tsunami Hazard Zones, San Francisco, 2012, in the Community Safety Element of the *General Plan*, the project site is not in a tsunami hazard zone, so the proposed project would not be at risk of inundation by tsunami.⁸³ The project site is not in a landslide zone, so the proposed project would not be at risk of inundation by mudflow.⁸⁴ Therefore, significance criterion 14j is not applicable to the proposed project.

Impact C-HY-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to hydrology and water quality. (*Less than Significant*)

Cumulative development in the project vicinity would result in an intensification of land uses, a cumulative increase in water consumption, and a cumulative increase in wastewater generation. The SFPUC has accounted for such growth in its service projections. Nearby cumulative development projects would be subject to the same water conservation, stormwater management, and wastewater discharge ordinances applicable to the proposed project. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact related to hydrology and water quality.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated		Less Than Significant Impact	No Impact	Not Applicable
15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

⁸³ San Francisco Planning Department, *San Francisco General Plan*, Community Safety Element, p. 15. Available online at http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf, accessed June 17, 2015.

⁸⁴ San Francisco Planning Department, GIS database geology layer, accessed June 18, 2015.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact HZ-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (Less than Significant)

The proposed project's residential and restaurant uses would involve the use of relatively small quantities of hazardous materials such as cleaners and disinfectants for routine purposes. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. For these reasons, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. This impact would be less than significant, and no mitigation measures are necessary.

Impact HZ-2: The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (Less than Significant)

The project site is not included on a list of hazardous materials sites compiled by the California Department of Toxic Substance Control pursuant to Government Code Section 65962.5. The

project site is located in a Maher Area, meaning that it is known or suspected to contain contaminated soil and/or groundwater.⁸⁵ In addition, the proposed project would require excavation to a depth of 12 feet below ground surface and the disturbance of more than 50 cubic yards of soil. For these reasons, the proposed project is subject to Health Code Article 22A (also known as the Maher Ordinance), which is administered and overseen by the Department of Public Health (DPH). The project sponsor is required to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the proposed project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agencies and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. A Phase I ESA has been prepared to assess the potential for site contamination, and the findings are discussed below.⁸⁶

The project site is occupied by two buildings that were constructed in 1906 and 1920. Due to the age of the buildings, it is possible that asbestos-containing material (ACM) and lead-based paint are present on the project site.⁸⁷ There are no electrical transformers or other equipment containing polychlorinated biphenyls on the project site.⁸⁸ Demolition of the existing buildings could release ACM, lead, or other hazardous materials into the environment. The demolition work must be performed in compliance with federal, state, and local regulations related to the abatement of hazardous materials. Required compliance with these regulations would ensure that demolition of the existing buildings would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The Phase I ESA indicates that there are no containers, drums, or underground storage tanks containing hazardous materials on the project site, no evidence of leaks or spills of regulated substances near existing storm drains, and no evidence of improper discharge or disposal of waste materials.⁸⁹ The Phase I ESA concludes that there are no Recognized Environmental Conditions on the project site and that no additional investigation is warranted.⁹⁰ Required compliance with federal and state regulations and the Maher Ordinance would ensure that implementation of the proposed project would not create a significant hazard to the public or the

⁸⁵ San Francisco Planning Department, *Expanded Maher Area Map*, March 2015. Available online at http://www.sfgov.org/itp/files/publications_reports/library_of_cartography/Maher%20Map.pdf, accessed July 28, 2015.

⁸⁶ ERAS Environmental Inc., *Phase I Environmental Site Assessment*, 2293-2299 Powell Street (hereinafter "Environmental Site Assessment"), November 6, 2012.

⁸⁷ *Environmental Site Assessment*, pp. 4-5.

⁸⁸ *Environmental Site Assessment*, p. 5.

⁸⁹ *Environmental Site Assessment*, p. 17.

⁹⁰ *Environmental Site Assessment*, p. 21.

environment. This impact would be less than significant, and no mitigation measures are necessary.

Impact HZ-3: The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (*Less than Significant*)

There is one school within a quarter-mile of the project site: Francisco Middle School at 2190 Powell Street (less than 0.1 mile southeast). As discussed under Impact HZ-1, the proposed project would include the use of common household items in quantities too small to create a significant hazard to the public or the environment. The proposed residential and restaurant uses would not produce hazardous emissions and would not involve the handling of hazardous or acutely hazardous materials, substances, or waste. This impact would be less than significant, and no mitigation measures are necessary.

Impact HZ-4: The proposed project would not result in a safety hazard for people residing or working within two miles of a public airport, public use airport, or a private airstrip. (*Not Applicable*)

The project site is not located within an area covered by an airport land use plan, within two miles of a public airport or a public use airport, or within the vicinity of a private airstrip. Therefore, significance criteria 15e and 15f are not applicable to the proposed project.

Impact HZ-5: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and would not expose people or structures to a significant risk of loss, injury, or death involving fires. (*Less than Significant*)

In San Francisco, fire safety is ensured through the provisions of the Building Code and the Fire Code. During the review of the building permit application, the Department of Building Inspection and the Fire Department will review the project plans for compliance with all regulations related to fire safety, which may include the development of an emergency procedure manual or an exit drill plan for the residents of the proposed project. Compliance with fire safety regulations would ensure that the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-HZ-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact related to hazards and hazardous materials. (*Less than Significant*)

Environmental impacts related to hazards and hazardous materials are generally site-specific. Nearby cumulative development projects would be subject to the same fire safety and hazardous materials cleanup ordinances applicable to the proposed project. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the

project vicinity to create a significant cumulative impact related to hazards and hazardous materials.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
16. MINERAL AND ENERGY RESOURCES—Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?					
b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?					
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?					

Impact ME-1: The proposed project would not result in the loss of availability of a known mineral resource or a locally-important mineral resource recovery site. (Not Applicable)

All land in the City and County of San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975.⁹¹ This designation indicates that there is inadequate information available for assignment to any other MRZ. Thus, the project site is not a designated area of significant mineral deposits or a locally important mineral resource recovery site. Therefore, significance criteria 16a and 16b are not applicable to the proposed project.

Impact ME-2: The proposed project would not encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner. (Less than Significant)

In California, energy consumption in buildings is regulated by Title 24 of the California Code of Regulations. Title 24 includes standards that regulate energy consumption for the heating, cooling, ventilation, and lighting of residential and nonresidential buildings. In San Francisco, documentation demonstrating compliance with Title 24 standards is required to be submitted with a building permit application. Compliance with Title 24 standards is enforced by the San Francisco Department of Building Inspection. The proposed project would comply with the standards of Title 24 and the requirements of the San Francisco Green Building Ordinance and would be built to Leadership in Energy and Environmental Design standards, thus minimizing the amount of fuel, water, or energy used during its construction and operational phases. The

⁹¹ California Division of Mines and Geology, Open File Report 96-03, 1996, and Special Report 146 Parts I and II, 1986.

proposed project would not encourage activities that result in the use of large amounts of fuel, water, or energy, or use them in a wasteful manner. This impact would be less than significant, and no mitigation measures are necessary.

Impact C-ME-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulative impact on mineral and energy resources. (Less than Significant)

As discussed above, San Francisco is not a designated area of significant mineral deposits and does not have locally important mineral resource recovery sites. Implementation of nearby cumulative development projects would not affect any operational mineral resource recovery sites. In addition, nearby cumulative development projects would be subject to the same energy conservation, water conservation, recycling and composting, and construction demolition and debris ordinances applicable to the proposed project. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact on mineral and energy resources.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
17. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.					
—Would the project					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact AF-1: The proposed project would not convert farmland to non-agricultural use, would not conflict with existing zoning for agricultural use or a Williamson Act contract, would not conflict with existing zoning for forest land or timberland, would not result in the loss of forest land or conversion of forest land to non-forest use, and would not involve other changes in the existing environment which could result in conversion of farmland to non-agricultural use or forest land to non-forest use. *(Not Applicable)*

The project site does not contain agricultural uses, is not zoned for agricultural use, and is not subject to a Williamson Act contract.⁹² The project site does not contain forest land or timberland as defined in Public Resources Code Section 12220(g) and Public Resources Code Section 4526, respectively. Therefore, significance criteria 17a through 17e are not applicable to the proposed project.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
18. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

⁹² California Department of Conservation, *San Francisco Bay Area Important Farmland 2010*. Available online at http://ltp.consrv.ca.gov/pub/dlrp/1MMPI/pdf/regional/2010/bay_area_fmmmp2010.pdf, accessed June 17, 2015.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in Section E.3, Cultural Resources, implementation of the proposed project would not result in a substantial adverse change in the significance of an archeological resource or a tribal cultural resource and would not disturb human remains. As discussed in Section E.13, Geology and Soils, implementation of the proposed project would not directly or indirectly destroy a unique paleontological resource or site. For these reasons, the proposed project would not result in the elimination of important examples of major periods of California history or prehistory.

The proposed project would not combine with past, present, or reasonably foreseeable future projects to create significant cumulative impacts related to any of the topics discussed in Section E, Evaluation of Environmental Effects, pp. 19-84. There would be no significant cumulative impacts to which the proposed project would make cumulatively considerable contributions.

As discussed in Section E.5, Noise, construction of the proposed project could generate temporary noise levels that would affect nearby residents and other sensitive receptors. In addition, introducing new residential uses to the project site could expose the project occupants to elevated ambient noise levels that would interfere with daily activities such as communication and sleep. Required compliance with the standards of Title 24 and the San Francisco Noise Ordinance would reduce these impacts to less-than-significant levels. As discussed in Section E.6, Air Quality, construction of the proposed project would result in emissions of toxic air contaminants (TACs) that have the potential to cause adverse effects on human health. During the proposed project's construction period, nearby sensitive receptors would be exposed to substantial pollutant concentrations. In addition, introducing new residential uses to the project site, which is in an area of poor air quality, would expose the project occupants to substantial pollutant concentrations. Implementation of Mitigation Measure M-AQ-2: Construction Air Quality, and required compliance with the standards of San Francisco Health Code Article 38 would reduce these impacts to less-than-significant levels. For these reasons, the proposed project would not result in environmental effects that would cause substantial adverse effects on human beings.

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

The following mitigation measures have been identified to reduce potentially significant environmental impacts resulting from the proposed project to less-than-significant levels. In addition, improvement measures have also been agreed to by the project sponsor to further reduce less-than-significant impacts.⁹³

Mitigation Measures

Mitigation Measure M-AO-2: Construction Air Quality

The project sponsor or the project sponsor's Contractor shall comply with the following:

A. Engine Requirements.

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. Waivers.

1. The Planning Department's Environmental Review Officer (ERO) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for on-site power generation meets the requirements of Subsection (A)(1).

⁹³ *Agreement to Implement Mitigation and Improvement Measures, Case No. 2013.0341E, 2293-2299 Powell Street/309-311 Bay Street, September 23, 2015.*

2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.

Table – Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3. Alternative fuels are not a VDECS.

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.
2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a

certification statement that the Contractor agrees to comply fully with the Plan.

3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

D. *Monitoring.* After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

Improvement Measures

Improvement Measure I-TR-1: Construction Traffic

The project sponsor should require the construction contractor to limit truck movements to the hours between 9:00 a.m. and 3:30 p.m., or other times if approved by the San Francisco Municipal Transportation Agency (SFMTA), in order to minimize the disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods. The project sponsor and construction contractor should meet with the Traffic Engineering Division of the SFMTA, the Fire Department, the San Francisco Municipal Railway (Muni), the Planning Department, and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during the construction period. In addition, the construction contractor should make arrangements for off-site parking for construction workers during the construction period.

Improvement Measure I-NO-3: Construction Noise

The project sponsor should develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures should be submitted to the DBI to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures should include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around the construction site;
- Utilize noise control blankets on the building as the building is erected to reduce noise emission from the site;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and

- Post signs on-site with information regarding permitted construction days and hours, complaint procedures, and the name(s) and telephone number(s) of the individual(s) to be contacted in the event of a problem.

G. PUBLIC NOTICE AND COMMENT

On July 31, 2015, the Planning Department mailed a Notification of Project Receiving Environmental Review to owners of properties within 300 feet of the project site, adjacent occupants, and neighborhood groups. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate.

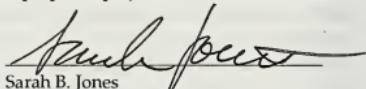
The Planning Department received comments expressing concerns over noise during the proposed project's construction period. Construction-related noise impacts are addressed in Section E. 5, Noise (see Impact NO-3, p. 38). The Planning Department received one comment regarding the impact of construction activities, specifically the dredging of groundwater at nearby construction sites, on the quality of drinking water. Construction-related impacts on water quality are addressed in Section E.15, Hydrology and Water Quality (see Impacts HY-1 and HY-2, pp. 75-76).

In addition, the Planning Department received comments from nearby residents expressing opposition to the height of the proposed project due to the potential impacts on their private views. As discussed in Section D, Summary of Environmental Effects, the proposed project qualifies as an urban infill project in a transit priority area under Senate Bill 743. For this reason, the aesthetic impacts of the proposed project are not considered in determining if the proposed project has the potential to result in significant environmental effects.

H. DETERMINATION

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.



Sarah B. Jones
Environmental Review Officer
for
John Rahaim
Director of Planning

DATE September 30, 2015

I. INITIAL STUDY PREPARERS

Planning Department
Environmental Planning Division
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Environmental Review Officer: Sarah B. Jones
Senior Environmental Planner: Joy Navarrete
Environmental Planner Michael Li

EXHIBIT C: MITIGATION MONITORING AND REPORTING PROGRAM

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM			
	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES				
Mitigation Measure M-AQ-2: Construction Air Quality				
A. <i>Engine Requirements.</i>	Project sponsor, construction contractor(s).	Prior to the start of and during use of on-site heavy diesel equipment.	Project sponsor, Planning Department.	During demolition and construction activities. The project sponsor shall submit quarterly reports to the ERO during the construction period and a final report at the end of the construction period.
1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.				
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.				
3. Diesel engines, whether for off-road or on-				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
---	-----------------------------------	---------------------------------	-------------------------------------	---------------------

road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.

4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers.*

1. The Planning Department's Environmental Review Officer (EROC) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule	
<p>site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for on-site power generation meets the requirements of Subsection (A)(1).</p> <p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.</p>					

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures		Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
---	--	-----------------------------------	---------------------------------	-------------------------------------	---------------------

Table – Off-Road Equipment Compliance Step-down Schedule

Engine Emission Standard	Emissions Control
Tier 2	ARB Level 2 VDECS
Tier 2	ARB Level 1 VDECS
Tier 2	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3. Alternative fuels are not a VDECS.

C. Construction Emissions Minimization Plan. Before

starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule	
manufacturer, equipment identification number, engine model/year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.					

2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> <p>D. <i>Monitoring.</i> After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>				

IMPROVEMENT MEASURES

Improvement Measure I-TR-1: Construction Traffic

Project sponsor, construction contractor(s), During demolition or construction activities.

The project sponsor should require the construction contractor to limit truck movements to the hours between 9:00 a.m. and 3:30 p.m., or other times if approved by the San Francisco Municipal Transportation Agency (SFMTA), in order to minimize the disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak

Adopted Mitigation/Improvement Measures	MONITORING AND REPORTING PROGRAM				
	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule	
<p>periods. The project sponsor and construction contractor should meet with the Traffic Engineering Division of the SFMTA, the Fire Department, the San Francisco Municipal Railway (Muni), the Planning Department, and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during the construction period. In addition, the construction contractor should make arrangements for off-site parking for construction workers during the construction period.</p> <p>Improvement Measure I-NO-3: Construction Noise</p> <p>The project sponsor should develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures should be submitted to the DBI to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures should include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> • Erect temporary plywood noise barriers around the construction site; • Utilize noise control blankets on the building as the building is erected to reduce noise emission from the site; • Monitor the effectiveness of noise attenuation 	Project sponsor, construction contractor(s).	Prior to and during demolition or construction activities.	Project sponsor, Planning Department.	During demolition or construction activities.	

MONITORING AND REPORTING PROGRAM

Adopted Mitigation/Improvement Measures	Responsibility for Implementation	Mitigation/Improvement Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
measures by taking noise measurements; and • Post signs on-site with information regarding permitted construction days and hours, complaint procedures, and the name(s) and telephone number(s) of the individual(s) to be contacted in the event of a problem.				



SAN FRANCISCO PLANNING DEPARTMENT

AGREEMENT TO IMPLEMENT MITIGATION AND IMPROVEMENT MEASURES

Case No.: 2013.0341E
Project Title: 2293-2299 Powell Street/309-311 Bay Street
Zoning: C-2 (Community Business) District
40-X Height and Bulk District
Block/Lot: 0041/001 and 034
Lot Size: 6,820 square feet
Project Sponsor: Trusts for Children of Henry Wong
c/o Daniel Frattin – Reuben, Junius & Rose
(415) 567-9000, dfrattin@reubenlaw.com
Lead Agency: San Francisco Planning Department
Staff Contact: Michael Li
(415) 575-9107, michael.j.li@sfgov.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

MITIGATION AND IMPROVEMENT MEASURES

Project Mitigation Measure 1: Construction Air Quality

The project sponsor or the project sponsor's Contractor shall comply with the following:

A. *Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. Waivers.

1. The Planning Department's Environmental Review Officer (ERO) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for on-site power generation meets the requirements of Subsection (A)(1).
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.

Table – Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3. Alternative fuels are not a VDECS.

C. Construction Emissions Minimization Plan. Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine

Case No. 2013.0341E
2293-2299 Powell Street/309-311 Bay Street
Agreement to Implement
Mitigation and Improvement Measures

serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.

2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.

D. *Monitoring.* After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

Improvement Measure I-TR-1: Construction Traffic

The project sponsor should require the construction contractor to limit truck movements to the hours between 9:00 a.m. and 3:30 p.m., or other times if approved by the San Francisco Municipal Transportation Agency (SFMTA), in order to minimize the disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods. The project sponsor and construction contractor should meet with the Traffic Engineering Division of the SFMTA, the Fire Department, the San Francisco Municipal Railway (Muni), the Planning Department, and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during the construction period. In addition, the construction contractor should make arrangements for off-site parking for construction workers during the construction period.

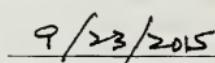
Improvement Measure I-NO-3: Construction Noise

The project sponsor should develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures should be submitted to the DBI to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures should include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around the construction site;
- Utilize noise control blankets on the building as the building is erected to reduce noise emission from the site;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site with information regarding permitted construction days and hours, complaint procedures, and the name(s) and telephone number(s) of the individual(s) to be contacted in the event of a problem.

I agree to implement the above mitigation measure(s) as a condition of project approval.


Property Owner or Legal Agent Signature


Date



